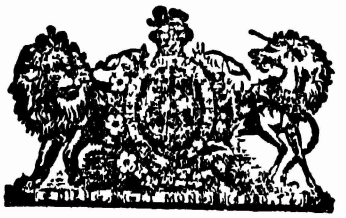
XIIIB

REPORT

ON

THE ADMINISTRATION OF CRIMINAL JUSTICE IN OUDH

During the year ending 31st December 1889.



ALLAHABAD:

NORTH-WESTERN PROVINCES AND OUDH GOVERNMENT PRESS.

1890.

BY ORDER OF THE LIEUTENANT GOVERNOR OF BENGAL

REPORT ON THE

ADMINISTRATION OF CRIMINAL JUSTICE IN OUDH

During the year ending 31st December 1889.

BENGAL SECRETARIAT LIBRARY.

No. 937 of 1890.

From

W. R. BURKITT, Esq.,

Offg. Judicial Commissioner of Oudh,

To

The SECRETARY to GOVERNMENT,

N.-W. Provinces and Oudh, Judicial (Criminal) Department.

Dated Lucknow, the 23rd June 1890.

Sir,

I have the honor to submit a report on the administration of Criminal Justice in Oudh for the year 1889, with the prescribed returns, and to forward the reports of the Commissioners and Deputy Commissioners in original. I am able to submit this report at a much earlier date than usual, thanks to the services of a statistical clerk temporarily sanctioned by Government.

2. The district reports were received from Commissioners on the following dates :—

Lucknow Division	From 24th February to 11th March.
Sitapur ditto	„ 6th ditto „ 4th ditto.
Fyzabad ditto	„ 28th ditto „ 31st ditto.
Rae Bareli ditto	„ 11th ditto „ 10th ditto.

The district statements were received on dates ranging from 21st January to 15th February 1890.

Imperial Return No. I.—Number of tribunals.

3. Inclusive of 15 benches of Honorary Magistrates there were 186 criminal tribunals in Oudh on 31st December 1889, as against 184 tribunals in 1888. The fluctuations in both years are as follow :—

	1888.	1889.
Judicial Commissioners	1	2
Assistant Commissioners	11	14
Deputy Collectors	44	40
Honorary Magistrates	116	125
Benches of Magistrates	14	15

The new Bench of Magistrates was established at Biswan, Sitapur district. The criminal tribunals consisted of the following classes of officers :—

Europeans and Statutory Civilians ...	Covenanted	23
	Military	9
	Uncovenanted	10
Natives		201

Imperial Return No. II.—Offences reported.

4. There was an increase in the number of offences reported during 1889 as compared with the figures for 1888, the number being 48,565, as against 47,508, giving an increase of 1,057 offences reported, or more than 2 per cent. Seven districts show an increase in the number of offences reported during 1889 : Bara Banki leading with an increase of 830, and Hardoi coming next with an increase of 757 offences. Five

districts—Lucknow city being counted as a district—show a decrease in the number of offences reported in 1889, as compared with the figures for 1888, the most noticeable being Lucknow, 609; Gonda, 556; and Bahraich, 410. Sitapur shows exactly the same number (3,254) as in 1888. In Bara Banki and Hardoi the increase was chiefly in cases of assault and theft. There was also an increase in the former district under the heading "Criminal trespass" and in the latter under "Local laws." In Lucknow city and Bahraich the decrease falls under "Offences against property," "against the human body," and "special and local laws:" but in Gonda the whole of the decrease is accounted for under "special and local laws."

Cases struck off or complaints dismissed under section 203, Criminal Procedure Code.

5. During 1889 the number of offences struck off by order of the Magistrate and of complaints dismissed under section 203, Criminal Procedure Code, aggregated 15,186, as against 15,398 in 1888. The percentage of offences thus disposed of was a little over 31 per cent. in 1889, as against 32 per cent. in 1888. The principal headings under which complaints were struck off or dismissed are—

	Reported.	*Struck off or dismissed.*
Extortion	246	193
Defamation	523	336
Kidnapping, &c.	170	106
Wrongful restraint	387	237
Cheating	356	210
Mischief	1,875	1,018
Criminal intimidation	275	150
Ditto breach of trust	311	149
Offences relating to marriage	1,574	726
Robbery and dakáiti	256	113
Criminal force and assault	3,646	1,567
Offences against public tranquillity	613	222
Hurt	11,098	4,398
Criminal trespass	4,676	1,632
Theft	6,874	1,791
False evidence, &c.	560	143
Offences against special and local laws	11,174	1,731

6. As compared with the percentages of offences struck off or dismissed in 1888, the following headings show an increase, *viz.*, Cheating" (+4); "Offences against public tranquillity" and "Extortion" (+3 each). On the other hand the headings showing a noticeable decrease in percentage are "Criminal breach of trust" (—9); "Robbery and dakáiti" (—8); "Wrongful restraint" (—7); "False evidence," "Hurt," and "Defamation" (—4 each); and "Criminal intimidation" (—3). The difference between the percentages for 1888 and 1889 under the remaining headings is very trifling, and does not exceed 1 per cent. either way.

Cases struck off.

7. The number of cases struck off from the police registers during 1889 by order of the Magistrates aggregated 2,083, as against 2,280 struck off in 1888, being less than 5 per cent. in each year.

The Deputy Commissioner of Rae Bareli (Mr. V. Smith) remarks as follows:—

"I go carefully myself into all requests to expunge cases from the police registers, "and never expunge a case unless satisfied that the alleged offence has not occurred."

Mr. P. J. White, Deputy Commissioner of Sultanpur, writes:—

"Cases are only expunged from the police registers with my sanction on a brief "English memorandum from the District Superintendent of Police, with which the "diaries or the cases themselves are invariably sent up. Mr. Mumford himself exa-"mined every case also before referring it for expungement. While he exacted fair "and honest reporting from the village chaukidárs, thus materially increasing the "number of reports, on the other hand he took extra pains to see that false and "fictitious cases were not retained on the registers."

Colonel Quin, Deputy Commissioner of Partabgarh, writes :—

"Of the cases shown under the heading 'struck off' only 176 were expunged from "the crime register, and this was done only under order of the District Magistrate "upon English report by District Superintendent of Police."

The procedure followed in the districts of the Rae Bareli Division in striking fictitious cases off the police registers is much to be commended; and though the same course is pursued in other districts, Bara Banki for instance, the annual reports do not show it. An explanation of the remark made by Colonel Quin—"Of the cases "shown under the heading 'struck off' only 176 were expunged from the crime "register"—has been called for, as it is not known from what register other than the police register the remaining cases were struck off. Colonel Quin's district figures show 389 cases struck off by order of the Magistrate."

Mr. Neale, Officiating Commissioner, Lucknow Division, writes regarding the Unao figures as follows :—

"The proportion of false to true charges is very striking. It is not clear "whether in these cases the defendant is summoned; but under section 203 "the intention is that he should not be summoned. If, however, there is no summons, "the complainant has his trouble and expense for nothing; and then it is hard to "say why the crowd of false accusers continues from year to year rather to increase "than diminish. The doubt arises are they so false? The law seems to me to "require amendment. A village *panchâyet* with very limited powers would probably "check this kind of case, and at the same time relieve the Stipendiary Magistrate."

The figures for the past five years do not bear out the Commissioner's remarks as to the "crowd of false accusers increasing from year to year." In the year 1885 there were 1,262 cases struck off, in 1880 the number fell to 923, and is 1,120 in the year under report. I do not concur in the Commissioner's regret that the complainant in such cases does not get a summons against his adversary. If there be nothing tangible in the complaint, as presumably is the case, it is far better that it should be at once rejected. This course may no doubt be annoying to complainants; but it saves the other party from being dragged into Court to answer a groundless charge.

Colonel Grigg, Deputy Commissioner, Bara Banki, writes :—

"The reason so large a number of cases appear under section 203 is that the peti-"tions are sent by me to Magistrates for disposal. Time does not admit of my ascer-"taining fully the facts relating to the complaint. This is left to the Magistrate who, I "fear, too often issues summonses without first weighing the nature of the complaint. "Petition-writers are great adepts at framing a petition in such a manner as to force an "inquiry; and the Bara Banki complainant does not stick at trifles to get his enemy into "trouble."

The Commissioner of the Lucknow Division very rightly remarks on the foregoing :—

"The Deputy Commissioner is in error here. Dismissals under section 203 do not involve a summons to the accused. The increase in the number this year is large, the Deputy Commissioner should ascertain in whose Court most of these occurred, and satisfy himself that the proceedings are regular and justifiable.

NOTE.—The figures for 1888 and 1889 are—

		Offences reported.	*Dismissed under section 203.*
1888	...	2,572	799 = 31 per cent.
1889	...	3,402	858 = 25 do.

Mr. P. J. White, Deputy Commissioner of Sultanpur, writes :—

"These percentages (of dismissals under section 203 and cases struck off as ground-"less) show that there has been adequate activity in expunging and dismissing groundless "reports and complaints. For my own part I am disposed to think that dismissals under "section 203 are rather too frequent * * * * I do not so much blame "the Magistrates as the system. The remedy, I think, is more freely to invest Magistrates "of the 1st class with summary powers * * * * I believe that they

" would then go at many a fair case which is now snuffed out under section 203. They " have not the time to put comparatively petty or inconsiderable cases through the full " formal process of a regular trial. As it is, it is a great waste of power to make a com- " petent 1st class Magistrate slowly and laboriously plod through those numerous unim- " portant cases which he might much more promptly and with far better effect decide " summarily under section 260 of the Criminal Procedure Code. It is as much a misap- " plication of means to ends as to cut blocks with a razor. I submit that the Oudh rule, " that a Magistrate shall not be invested with summary powers until he shall have exer- " cised 1st class powers for five years, is a mistake. It postpones his full usefulness for so " many years unnecessarily. If he does approved work as a 1st class Magistrate for a " year, I submit that he should be eligible for summary powers on the District Offier's " recommendation."

Mr. R. Spedding, Commissioner of the Rae Bareli Division, notes on the above :—

" The suggestion is a good one ; but much depends on personal qualifications."

8. I am unable to concur with the Commissioner and Deputy Commissioner. Mr. White apparently thinks that his subordinates " snuff out many a fair case " under section 203, by which, I suppose, he means that they reject as unfounded charges which are really true, because they have no time " slowly and laboriously to plod through " them. If such be the case, these Magistrates are guilty of a breach of duty. The remedy Mr. White proposes is to invest them with powers to try summarily. His argument is, I presume, that if they had summary powers they would hear the " fair " cases which they now " snuff out." I cannot concur in this suggestion : on the contrary I am inclined to think that summary powers have been too extensively conferred on the native Magistracy. In my long experience in all grades of the service in the North-Western Provinces I have come across extremely few Native Deputy Magistrates who could safely be trusted with such powers : and I should like to see the former North-Western Provinces practice introduced into Oudh by which, with very rare exceptions, none but officers who are or who have officiated as Joint-Magistrate can exercise summary powers. I would also remark that Mr. White quite ignores the provisions of section 355 of the Code of Criminal Procedure, which, while immensely lessening the clerical work of Magistrates in summons cases and *in all cases which may be tried summarily*, have for the Court of Appeal some record on which it can come to a conclusion as to the legality and propriety of the Magistrate's judgment. If that section were properly worked, it would be unnecessary to confer summary powers except in special cases for special reasons.

Number of cases in which compensation was awarded.

9. The number of persons to whom compensation was awarded under section 250, Criminal Procedure Code, rose from 180 in 1888 to 201 in 1889. As compared with the figures for 1888, six districts show a falling off. The most noticeable is Kheri, where only 17 persons were awarded compensation, as against 36 in 1888. Five districts show an increase of 66 persons, *viz.*, Fyzabad, 36 ; Unao, 16 ; Sultanpur, 10 ; Hardoi and Partabgarh, 2 each.

The Deputy Commissioner of Kheri (Colonel Cowie) says with regard to the decrease noted above :—

" The large decrease in criminal force cases (546 to 296) may in some measure explain it."

Mr. Robinson, Deputy Commissioner, Fyzabad, writes :—

" I attribute this marked improvement as due to the monthly reports which " Magistrates are now required to submit regarding the enforcement of the provisions of " section 250, Criminal Procedure Code."

The Deputy Commissioner of Gonda, Mr. Gibson, is of opinion that " sparingly as " this provision of the law is exercised, it might be dangerous to enlarge its scope. A " man may pommel or clout another, or otherwise bully him, without creating marks of " hurt. There may be wanting evidence, as is often the case, when there is ground for " making the charge. To award compensation at all freely would encourage violence.

"It is in the majority of cases impossible to say that the charge is vexatious and ground-"less. I have hitherto been in favour of applying this section more; but there is no "denying that there is a difficulty in doing so."

10. I do not quite concur with the Deputy Commissioner. I should like to see the provisions of section 250 extended to other than the very few offences which come within the definition of "summons case." The Deputy Commissioner seems not to notice that a complaint of "pommelling" or of "clouting" amounts to a charge of hurt, and that compensation therefore could not ordinarily be awarded.

Complaints dismissed.

11. The number of complaints dismissed by Magistrates under section 203, Criminal Procedure Code, during 1889 was 13,103, as against 13,118 in 1888, the percentage to offences reported being about 27 in each year. Eight districts show an increase, the most noticeable being Hardoi, 435 and Rae Bareli, 192. On the other hand a decrease occurred in Bahraich, 274; Lucknow City, 238; Sultanpur, 229; and Partabgarh, 138. The percentages of dismissals to offences reported were Hardoi, 21; Rae Bareli, 24; Bahraich, 38; Lucknow City, 25; Sultanpur, 27; and Partabgarh, 25. In Hardoi and Rae Bareli the increase in the number of dismissals was for the most part under the headings "Hurt," "Assault," "Theft," and "Criminal trespass." There was a marked decrease in Bahraich, Lucknow City, and Partabgarh under "Hurt," and in Bahraich under "Assault;" also in Sultanpur under "Criminal trespass" and "Security for keeping the peace."

Cases brought to trial

12. In the year under report 33,921 cases were brought to trial, being 1,238 more than in 1888, when the figures were 32,683. The fluctuation in the district figures is shown below :—

	1888.	1889.	*Difference.*
Bara Banki	1,792	2,586	+794
Hardoi	3,134	3,858	+724
Sultanpur	1,878	2,348	+470
Partabgarh	1,697	2,033	+336
Unao	1,524	1,810	+286
Lucknow	1,660	1,720	+ 60
Rae Bareli	2,675	2,700	+ 25
Gonda	3,693	3,141	−552
Lucknow City	3,157	2,787	−370
Kheri	2,991	2,717	−274
Fyzabad	3,830	3,718	−112
Bahraich	2,008	1,905	−103
Sitapur	2,644	2,598	− 46

As in 1888, so in the year under report, seven districts show an increase in the number of cases brought to trial, amounting to 2,695 cases, with an increase of 2,888 offences reported. In the remaining six districts offences reported fell off by 1,831 and cases brought to trial by 1,457, as compared with the figures for 1888.

13. The increase in the number of offences brought to trial during 1889, as compared with the figures for 1888, falls for the most part under the headings "Contempt of the lawful authority of public servants," "Hurt," "Theft," and "Criminal trespass," whilst the decrease is accounted for under "Criminal force," "Mischief," "Offences relating to marriage," and "Offences against special and local laws." The fluctuations in the more heinous offences against the person and property are small.

14. The districts of Bara Banki, Hardoi, and Sultanpur show a very marked increase in the number of cases brought to trial in 1889, as compared with the number in 1888.

Colonel Grigg, Deputy Commissioner of Bara Banki, writes as to the increase under "Theft":—

"I do not believe there was any actual increase in this class of crime. It is "well known that crime was burked to an alarming extent in 1888. The Police "activity, which succeeded the state of lethargy of the previous year, accounts for "this large increase."

Mr. P. J. White, Deputy Commissioner of Sultanpur, remarks as follows :—

"The most marked increase is in offences affecting the human body, which have "gone up from 1,071 to 1,409. It is most prominent under these sub-heads *(a)* Attempt-"ed suicide; *(b)* Hurt with aggravating circumstances; *(c)* Other cases of hurt, criminal "force or assault. Here, again, more faithful reporting is the first and main cause of "the increase."

The figures for Gonda and Lucknow City show a marked decrease. Mr. Gibson, Deputy Commissioner, Gonda, writes :—

"The decrease is mainly under breaches of Municipal Law. Very unusual acti-"vity was displayed in 1888, in which year prosecutions increased 35 per cent. A reac-"tion probably set in."

Mr. Mulock, Deputy Commissioner of Lucknow, remarks :—

"In the city there was a decrease under each head (offences reported, cases struck off, "and cases brought to trial) during the year under report, as compared with the previous "year. The increase in the district and the decrease in the city has been almost conti-"nuous during the past five years."

Persons brought to trial.

15. The number of persons, 63,074, brought to trial in 1889 was 1,047 in excess of the number in 1888. The following statement shows how persons under trial were disposed of :—

	Number.	*Percentage.*
Acquitted or discharged	33,203	52·6
Convicted	28,553	45·2
Died, escaped, &c.	83	0·1
Remaining under trial	1,235	1 9

The percentage of convictions obtained shows a continuous falling off, being 45·2 as against 46·7 in 1888 and 47·7 in 1887.

16. On this matter Colonel Pitcher, Deputy Commissioner of Hardoi, writes :—"I have no remarks to offer as to convictions. Fluctuations may often, I think, be "largely due to changes of officers, some being less timid than others in acting up to "their responsibilities."

Upon which Colonel Currie, Commissioner of the Sitapur Division, remarks :—

"I agree with the Deputy Commissioner's remarks. The Native Bar is getting "too much for the Native Magistracy of the old stamp. The latter are timid "of responsibility, susceptible to extraneous influences, such as the Vernacular "Press, and nervously afraid of European Barristers, all of which tends to secure a "greater immunity to the criminal. The defence, too, has gained strength at the expense "of the prosecution. There is a necessity for a better prosecuting agency."

In the above remarks I fully concur.

General results.

17. The general results for the years 1888 and 1889 are here given :—

	1888	1889.
Cases reported	47,508	48,565
Do. struck off and dismissed	15,398	15,186
Do returned as true	32,110	33,379
Percentage returned as true	67·58	68 73
Persons under trial	62,027	63,074
Ditto convicted	29,010	28,553
Percentage of convictions	46·76	45·26

Certain special details.

18. During 1889 the number of persons tried aggregated 61,756, being 1,097 more than in the previous year; but the percentage of convictions obtained was 46, as against 47 in 1888. A large proportion of this decrease is due to the falling off in the percentage of convictions in cases of persons tried for breaches of special and local laws. These amounted to no less than 18,604 persons (between one-third and one-fourth of the whole number tried). Among them the percentage of convictions fell by 2 per cent.

The following headings show a noticeable increase in convictions in 1889 over the figures of the previous year : "Robbery," "Wrongful restraint," "Cheating," "Rape," and "O nces relating to religion." A slight increase occurred under "Criminal force and assault," "Theft," "Defamation," and "Extortion." The percentage of convictions obtained under "Hurt" and "Criminal intimidation" was practically the same in each of the years 1888 and 1889.

Rioting.

19. In the year under report 63 per cent. of persons tried for rioting were convicted, as against 60 per cent. in the previous year. The highest percentage obtained was 87 in Bara Banki. In five other districts the percentage was above the provincial average, *viz.*, Sitapur, 72 ; Hardoi and Kheri, 70 ; Bahraich, 68 ; and Rae Bareli, 66.

Affray.

20. The percentage of convictions obtained in 1889 under the heading "Affray" was very high, being 72. Convictions were obtained against each person so charged in Bara Banki, 2 ; Bahraich, 2 ; and Partabgarh, 3. Very high percentages of convictions were obtained in Lucknow, 94 ; Sitapur, 92 ; and Gonda, 84.

Attempted suicide.

21. Convictions were obtained against 272 out of 348 persons charged with attempt to commit suicide in 1889, or 78 per cent. as against 69 per cent. in 1888.

Hurt.

22. The fluctuation between the figures for the years 1888 and 1889 under the heading "Hurt" is shown below :—

	Offences reported.	*Struck off or dismissed.*	*Persons tried.*	*Acquitted.*
1888	10,493	4,410	13,568	7,907
1889	11,273	4,299	15,299	8,839

It will be seen that, as compared with the figures for 1888, there was in 1889 an increase of 780 offences reported and a decrease of 111 offences struck off or dismissed under section 203 of the Criminal Procedure Code. The number of persons tried during 1889 increased by 1,731, and of those acquitted by 932. This increase is the natural sequence of the decrease in the number of cases struck off or dismissed.

A comparative statement of the district percentages of acquittals during 1888 and 1889 is here given :—

	1888.	1889.
Gonda	73·	68·
Sitapur	72·	67·
Hardoi	62·	67·
Rae Bareli	63·	66·
Unao	58·	64.
Kheri	59·	62·
Bahraich	48·	57·
Lucknow City	53·	55·
Fyzabad	49·	54·
Bara Banki	45·	48·
Sultanpur	56·	45·
Lucknow	48·	41·
Partabgarh	47·	35·

Out of the abovenamed districts the percentage of acquittals in the first six was in excess of the provincial average ; but Gonda and Sitapur show an improvement on the figures of 1888.

The percentages for Partabgarh (—12), Sultanpur (—11), and Lucknow (—7), as also that of Bara Banki (which is slightly higher than in the previous year) display greater carefulness on the part of the Magistracy in admitting complaints.

Wrongful restraint and wrongful confinement.

23. The provincial average of persons convicted under these charges during 1889 is 24 per cent. only. Five districts show percentages above the average, *viz.*, Lucknow, 74 ; Lucknow City, 50 ; Rae Bareli, 38 ; Kheri, 26 ; and Sitapur, 25. The percentages in the remaining districts range from 22· in Sultanpur down to 6· in Hardoi and Bahraich.

24. There were 3,646 complaints under these headings in 1889, being 63 more than in 1888. Out of 4,115 persons tried 2,862 or 65· per cent. were acquitted, as against 60· per cent. in 1888. The district percentages of acquittals during both years are given below :—

Criminal force and assault.

	1888.	1889.
Unao	77·	78
Lucknow City	74·	76·
Sitapur	75·	74·
Fyzabad	74·	74
Lucknow	71·	71·
Kheri	85·	70·
Bahraich	66·	70
Rae Bareli	59·	69·
Hardoi	71·	67·
Partabgarh	63·	63
Bara Banki	58·	47·
Gonda	52·	45·
Sultanpur	37·	39·

Nine district percentages are above the provincial average, and whilst Kheri (—15) is very much lower, Rae Bareli (+10) is much higher than in 1888. Bara Banki (—11) and Gonda (—7) show considerable improvement as compared with the percentages of 1888.

As remarked in last year's report, the figures show that in most districts there can hardly be any real examination of the complainant before issue of summons. The attention of District Officers will be again called to the necessity for compliance with the provisions of sections 202 and 203 of the Criminal Procedure Code.

25. During the year under report the provincial percentage of convictions rose to 40·7, as against 31· in the previous year ; but as in that year 50 per cent. of the persons tried were discharged for want of prosecution. These figures are startling, and are explicable only on the supposition that a very large number of cases are taken up on complaint to the Magistrate direct without having stood the very necessary preliminary of an investigation on the spot by the police. Such complaints are only too often preferred falsely for the purpose of extortion or on discovery of an intrigue. In Unao out of three persons tried, two were discharged ; in Fyzabad and Bahraich out of two accused one was discharged ; and in Sultanpur the two persons brought to trial were discharged.

Rape

26. Almost the same number of persons were tried in 1889 as in 1888 for this offence, that is, 24 as against 25. Convictions were obtained against 21 persons and 3 were acquitted. Out of 22 tried in Partabgarh 20 persons were convicted.

Cattle-theft with aggravating circumstances.

27. In 1889 the provincial percentage of persons convicted of theft rose to 72·3 from 71·1 in 1888. Eight districts show a higher percentage than the provincial one, *viz.*, Gonda, 80· ; Unao 78· ; Lucknow City, 76· ; Kheri, 75 ; Lucknow, Sitapur, Hardoi, and Sultanpur, 74·. The percentage in the other districts ranges from 70· in Bara Banki down to 64· in Fyzabad.

Theft.

28. The percentage of convictions obtained in 1889 against persons charged with the several kinds of offences classed under " Robbery and dakaiti " shows a considerable improvement over that of the previous year. Out of 358 persons tried 201 or over 56· per cent. were convicted, as against nearly 40 per cent. in 1888. The districts showing higher percentages than the provincial average are Lucknow City (4 persons convicted out of 5 tried) 80· ; Rae Bareli, 78· ; Sitapur, 76· ; Bara Banki, 68· ; Hardoi, 64 ; and Unao, 59. The percentages of convictions in the remaining districts range from 50 in Kheri down to 26· in Sultanpur, where out of 15 persons charged with robbery under section 392, Indian Penal Code, no less than 10 were discharged and 1 was acquitted.

Robbery and dakaiti.

Receiving stolen property.

29. During the year under report the provincial percentage of convictions obtained under this heading rose to 71·9 from 69·5 in 1888 : a satisfactory improvement. The district percentages of Hardoi, 83·; Sultanpur, 79·; Kheri, 78·; Sitapur and Partabgarh, 77·; and Bahraich, 73· are better than the provincial average. The other districts show percentages varying from 71· in Bara Banki to 58· in Lucknow City.

Cheating.

30. Although out of 356 offences reported during 1889 no less than 220 were struck off or dismissed by the Magistrate, the provincial percentage of convictions was only 34·, yet this is much higher than the percentage for 1888 which was 22·. Eight districts show higher percentages (amongst them are Hardoi, 87· and Lucknow 57·) than the provincial average. In Bara Banki out of 17 complaints 13 were dismissed, and of 5 persons tried three were discharged and two were acquitted. In Kheri, although 42 out of 60 complaints were struck off or dismissed, out of 22 persons tried 20 were discharged or acquitted, the percentage of convictions being 9.

Offences relating to documents, trade, and property marks.

31. The number of persons charged with offences relating to documents, &c., during 1889 rose to 68 from 29 in 1888. Of these 68 persons 41 were discharged, 18 were acquitted, and 9 were convicted. In Fyzabad 19 persons and in Gonda 18 persons were tried ; but in neither district was a conviction obtained.

Offences relating to marriage.

32. There was a falling off of 94 offences relating to marriage in 1889 as compared with the number reported in 1888. In 1889 out of 1,574 complaints 726 or 46 per cent. were struck off or dismissed, and out of 990 persons tried, 385 or 39 per cent. were discharged for want of prosecution. Convictions were obtained against 162 persons or 16 per cent. of the number tried. Eight district percentages equalled or exceeded the provincial average, *viz.*, Lucknow City, 34 ; Unao, 32 ; Bara Banki, 31 ; Fyzabad, 21 ; Bahraich, 20 ; Partabgarh, 19 ; Sultanpur, 7 ; and Sitapur, 16. The lowest percentages are Rae Bareli, 7 and Gonda, 5.

Defamation.

33. In 1889 out of 523 complaints made of defamation, 336 or 64 per cent. were struck off or dismissed, as against 567 complaints, of which 389 or 68 per cent. were struck off or dismissed in 1888. No convictions were obtained in Lucknow or Sultanpur, though in the former district 8 out of 18 complaints and in the latter 15 out of 23 were dismissed. Though 77 complaints were dismissed out of 117 made in Kheri, only 5 persons were convicted, 30 being acquitted and 15 discharged for want of prosecution.

Criminal intimidation and annoyance.

34. The percentage of persons convicted of charges under these heads in 1889 was the same as in 1888, *viz.*, 19·, the number of persons being 40 in the former as against 41 in the last-named year. The number of offences reported in 1889 was 275, of which 160 were struck off or dismissed, as against 294 complaints and 168 dismissed in 1888. The highest percentages of convictions obtained were Lucknow City, 60 ; Hardoi, 50 ; Gonda, 40 ; Lucknow, 20 ; and Partabgarh, 23. No conviction was obtained in Kheri against seven persons tried ; and out of 28 persons tried in Sitapur, only one was convicted.

Arms Act (XI of 1878).

35. During 1889 no offence against the Arms Act occurred in the Bara Banki district. In the other 11 districts, 48 persons were convicted out of 67 brought to trial. In Unao 13 persons were tried of whom 9 were convicted, and 10 persons were convicted out of 15 tried in Hardoi. Convictions were obtained in all the cases tried in Bahraich (four persons) in Rae Bareli (four persons) and in Sultanpur (three persons.)

36. The number of offences against the Cantonment Act reported in 1889 aggregated 533, as against 494 in 1888. In Lucknow 469 persons were tried, being 65 in excess of the figures of 1888. Sitapur shows an increase of 44 persons in 1889, the number tried being 72. The figures for 1889 and 1888 in Fyzabad were 267, as against 262. The percentage of convictions was 85·8 in 1889 and 86 in 1888.

Cantonment Act (III of 1880).

37. In 1889 convictions were obtained against 241 persons out of 248 tried under these Acts. One of these cases was tried in Lucknow and 4 in Sitapur, the remainder in Gonda.

Criminal Tribes and Eunuchs Act (XVII of 1871).

38. During the year under report 48 persons were convicted of offences against the Forest Laws out of 49 tried in Bahraich, and 36 out of 37 tried in Gonda. There was also one conviction in Kheri.

Forest Act (VII of 1878).

39. The number of persons tried during 1889 for gaming fell to 606 from 763 in 1888, and 529 persons or over 87 per cent. were convicted. Convictions were obtained against all the persons tried in Lucknow (22), in Bara Banki (12), and in Partabgarh (10). Out of 275 persons tried in Lucknow City 252 were convicted, the remainder being acquitted.

Gaming and Lotteries Act (III of 1867).

40. Fewer persons by 1,236 were tried for offences against municipal bye-laws in 1889 than in 1888, the figures being 4,507 and 5,473 respectively. The percentage of convictions obtained (84·5) was good, though below that for 1888, which was 87. A comparative statement of the number of persons tried in each district in 1888 and 1889 is given below :—

Municipal bye-laws.

	1888.	1889.	Difference.
Lucknow City	1,673	1,323	−350
Hardoi	529	1,071	+542
Fyzabad	1 936	691	−1,245
Sitapur	333	353	+ 20
Gonda	436	308	−128
Bahraich	322	218	−104
Rae Bareli	201	145	− 56
Partabgarh	82	142	+ 60
Bara Banki	77	109	+ 32
Sultanpur	70	88	+ 18
Kheri	71	30	− 41
Unao	13	29	+ 16

The Deputy Commissioner of Fyzabad, Mr. Robinson, writes :—

"The decrease in nuisance cases is, I think, due to the fact that the activity shown "by the Bench in recent years has had its natural effect, and people do not offend against "the law so much as formerly."

41. The number of persons tried under Act V of 1861 during 1889 was 3,909, as against 3,701 in 1888. The percentage of convictions was 93· in 1889 and 94· in 1888. In Fyzabad 1,040 persons were convicted out of 1,118 tried; in Lucknow City 894 were convicted out of 946 persons tried; and in Rae Bareli out of 473 persons tried, 454 were convicted.

Nuisances Act (V of 1861).

42. The number of persons tried for offences against the Opium Acts has steadily fallen off during the past three years. It was 419 in 1887, 333 in 1888, and 238 in 1889, in which latter year 196 persons or 82· per cent. were convicted. The highest district figures are 49 persons tried, of whom 45 were convicted, in Bara Banki, and 40 persons tried, of whom 28 were convicted, in Lucknow City.

Opium Acts (XIII of 1857 and I of 1878).

43. The extension of railways through Oudh accounts for the steady increase year by year in the number of persons tried under the Railways Act. In 1889 out of 130 persons

Railways Act (IV of 1883).

tried 110, or 84· per cent., were convicted, as against 101 persons tried and 78 convicted, or 77· per cent. in 1888.

Stamp Act (I of 1879).

44. There was an increase during 1889 of 90 persons tried for breaches of the Stamp Law as compared with the number tried in 1888, and the percentage of convictions rose from 72· to 83·; convictions were obtained against all persons tried in Hardoi (39), in Unao (21), and in Partabgarh (9). In Gonda 83 persons were convicted out of 90 tried, as against 32 out of 43 in 1888. Out of 35 persons tried in Sultanpur 29 were convicted.

IMPERIAL RETURN No III.—Proceedings under Criminal Procedure Code. Security for keeping the peace.

45. During 1889 the number of persons called upon to give security for keeping the peace fell to 2,148 from 2,756 in 1,888 and the percentage fell from 56· to 45·8 in 1889. This falling off is due to the fact that 71· per cent. of the persons tried in Hardoi and 92 per cent. of those tried in Rae Bareli were discharged. The districts which in 1888 showed an increase in the number of persons tried show a decrease in 1889, *viz.*, Hardoi, 111; Gonda, 251; Fyzabad, 189; and Rae Bareli, 19.

Security for good behaviour.

46. The number of persons called upon in 1889 to give security for good behaviour was 512, as against 516 in 1888. In Bara Banki 115 persons were so called on, as against 14 in 1888, and out of the 115 persons only 22 were discharged. The Deputy Commissioner writes:—

"A large number of these cases came before me on revision, and in nearly every "instance I found that security was demanded on good grounds."

In Sultanpur 14 persons were called upon to give security and in the case of 13 the order was enforced. In Partabgarh 13 persons were ordered to give security out of 33 summoned. The Commissioner of the Division reports having discussed the matter with the Deputy Commissioner of Partabgarh during his camping tour in that district, and that the provisions of the law in regard to requiring security for good behaviour from habitual offenders are now fairly worked in that district.

Proceedings against local nuisances.

49. Out of 352 persons concerned in local nuisances during 1889 in no less than 296, or 84 per cent., orders were passed directing the abatement of the nuisance as against 212 persons concerned, and 162, or 76 per cent., of such orders issued in 1888.

Frivolous and vexatious complaints.

48. Has already been commented on.

IMPERIAL RETURN No. IV.—Magisterial work.

49. During 1889 the number of persons under trial rose to 62,940 from 61,923 in 1888.

The following statement shows how they were disposed of in 1888 and in 1889:—

	1888.	1889.
Died, escaped or transferred	47	78
Discharged or acquitted	31,410	32,955
Convicted on regular trial	24,554	24,199
Ditto summary trial	3,999	3,800
Committed or referred	727	736
Remaining under trial	1,186	1,172
Average duration of each case (days)	6·02	6·50

The percentage of convictions on the number of persons under trial in 1889 was 44·4 as against 46·1 in 1888.

50. Eight districts were above, or nearly equalled, the provincial average, *viz.*, Lucknow City, 67·66; Lucknow, 55·38: Fyzabad, 51·95; Bara Banki, 48·2; Unao, 48·06; Gonda, 46·41; Hardoi, 44·99; and Sitapur, 44·36. The highest percentage of convictions obtained in Tahsíldárs' Courts was 53·3 in Unao; in Native Assistants' Courts was 68·4 in Lucknow City, and in the Courts of European Magistrates was 84· in Partabgarh.

51. Percentages of convictions before Benches of Honorary Magistrates were high in Rae Bareli (78·08) and in Hardoi (74·32).

52. The Deputy Commissioner of Lucknow writes :—

" The percentage of convictions (68·84) by the Honorary Magistrates in the city " is still below the mark, considering the enormous number of bye-law cases that they " try."

The highest percentages of convictions obtained by Honorary Magistrates were 59·2 in Lucknow and 37·9 in Gonda.

53. The average duration of cases was 6·5 days in 1889, as against 6·02 days in 1888.

54. The amount of work performed by the several classes of Magistrates during 1888 and 1889 is given below : —

Classes of Courts	1888.		1889.	
	Number of persons disposed of	Percentage of total number of persons disposed of	Number of persons disposed of	Percentage of total number of persons disposed of.
Unpaid Magistrates sitting singly	6,546	10 7	7,772	12·5
Benches of Magistrates	9,682	15 9	9,495	15·3
Local and subordinate paid Magistrates ..	12,143	19 9	14,558	23·5
Full-power Magistrates of general jurisdiction, Natives ...	23,752	39·1	22,731	36 8
Full-power Magistrates of general jurisdiction, Europeans,	6,622	10 9	5,113	8·2
Chief Magistrates of Districts	1,618	2·6	1,427	2·3
Deputy Commissioners under section 34, Act X of 1882 ...	374	0 6	672	1·0

Full-power Native Magistrates did less work in 1889 than in 1888, but exactly the same amount as in 1887. Deputy Commissioners disposed of a much larger number of cases under their enhanced powers in 1889 than in the previous year.

55. The Honorary Magistrates who disposed of more than 100 cases each during 1889 are detailed below :—

Unpaid Magistrates.

	Cases.
Rájá Partab Bahadur Singh, Partabgarh	334
Munshi Mumtaz Ali Khan, Gonda	309
Maulvi Khalil-ullah Khan, Kheri	278
Rája Jagmohan Singh, Rae Bareli	263
Munshi Ali Bakhsh Khan, Unao	246
„ Tasadduk Husain, Kheri	219
Rája Rampal Singh, Partabgarh	216
Munshi Enayet-ullah Khan, Hardoi	171
„ Mahfuz Ali, Fyzabad	170
Sayyid Wasi Haidar, Hardoi	127
Bhaiya Rajendro Bahadur Singh, Fyzabad	121
Rae Narayan Bali, Bara Banki	115
Major G. W. Anson, Gonda	106
Sayyid Ahmad Husain Khan, Partabgarh	106

Besides the above-named Honorary Magistrates, 28 others disposed of criminal work.

Benches of Magistrates.

56. Eight benches of Honorary Magistrates disposed of more than 100 cases each, *viz.*—

Benches.	Cases.
Lucknow City	2,078
Fyzabad do.	1,058
Sandila	747
Gonda	470
Rae Bareli	261
Bara Banki	244
Sitapur	159
Khairabad	150

57. The Deputy Commissioner of Lucknow names the following gentlemen as having been very regular in their sittings on the Lucknow City Bench :—

Bábu Sheo Parshad ; Sayyid Afzal Ali Khan ; Hakím Nazar Hasan ; Darogha Ashik Jafar Khan ; Rai Murli Manohar, Bahadur ; Munshi Ghazaffar Ali, Khán Bahádur ; Shah Abul Hasan ; Háji Sayyid Nazir Hasan

Mír Wazir Ali Kazmi and Sah Gobardhan Das, Rae Bahádur : and the Commissioner of the Lucknow Division remarks :—

"The Honorary Magistrates' return of work is most creditable."

58. The great assistance rendered by the several gentlemen named in paragraph is acknowledged by the District Officers. Shaikh Tasadduk Rasul, Bara Banki, disposed of only 49 cases in 1889, as against 130 in 1888.

The Deputy Commissioner explains this falling off :—

"The talúqdár of Jahángirabad's jurisdiction is a limited one, and therefore his list can "never be a heavy one. It is, however, one-third of last year, possibly due to the sub-"divisional officer himself disposing of the class of cases which are sent to the Honorary "Magistrates."

59. The following statement shows the work disposed of by Deputy Commissioners during 1889 :—

Names of Deputy Commissioners.	District.	Period during which charge was held.	Number of cases disposed of. Under their ordinary powers.	Under section 34, Criminal Procedure Code.	Under their summary powers.
Mr. F. Baker	Lucknow ...	1 month	...	...	..
„ W. F Wells		2½ months	13	6	5
„ F B. Mulock		The remainder of the year ...	22	30	8
„ H. W Gibson	Unao ...	1st January to 18th April ...	12	30	1
Colonel T. J. Quin		19th April to 31st October ...			
Mr. A. W. Shakespear ...		1st November to 31st December,			
Lieut.-Colonel E. E. Grigg ...	Bara Banki ...	The whole year	89	72	15
Mr. J E. Gill	Sitapur ..	3rd April to 8th July ...	7	10	6
„ H. H Butts ...		The remainder of the year ...	34	25	15
Colonel N. M. T. Horsford ...	Hardoi ...	1st January to 19th March ...	...	3	.
Mr. J. E. Gill		20th to 29th March ...	...	...	8
Mirza Muhammad Abbas ...		30th and 31st March ...	...	...	..
Colonel D G. Pitcher ...		The remainder of the year ...	18	70	...
Lieut.-Colonel T. R. Cowie ...	Kheri ...	The whole year	71	22	40
Mr. A. Robinson	Fyzabad ...	Ditto	20	29	14
„ Muhammad Ishak Khan ...	Bahraich ...	10th September to 6th November,	2	1	...
Lieut.-Colonel W. P. Harrison...		The remainder of the year ...	70	32	16
Colonel C. S. Noble ...	Gonda ...	1st January to 25th April ...	46	9	...
Mr. H W. Gibson		The remainder of the year ...	175	34	1
„ H. C Irwin	Rae Bareli ...	1st January to 3rd May ...	26	4	11
„ V. A. Smith		The remainder of the year ...	82	20	19
„ P. J. White	Sultanpur ...	The whole year	4	7	1
„ E. T. Lloyd	Partabgarh ...	11th April to 3rd August and 3rd October to 7th November.	25	5	19
Pandit Jwala Prasad ...		4th to 9th August	...	...	...
Mr. A. W. Trethewy ...		10th August to 2nd October ...	6	3	..
Colonel T. J. Quin... ...		The remainder of the year ...	5	5	2
		Total for 1889 ...	727	417	171
		Dit'o 1888 ...	748	249	180
		Difference ...	−21	+166	−9

60. A very much larger number of cases were disposed of by Deputy Commissioners in 1889 than in 1888 under their enhanced powers, section 34, Criminal Procedure Code. Colonel Grigg of Bara Banki disposed of 72 such cases, and the Commissioner of the Lucknow Division remarks thereon as follows :—

"The great increase this year in the number of cases thus disposed of merits approval. "This section is a powerful instrument in the hands of the District Officer, and when, as "here, a district had got a little out of hand resort to it was a potent method of restoring "order. It also saves complainant and witnesses expense and trouble, and diminishes "the opportunities of concealing the facts."

The Commissioner, Sitapur Division, writes with regard to cases disposed of by Colonel Pitcher :—

"I think Colonel Pitcher has gone to work in the only way there is for putting "down crime in a turbulent and lawless district * * * * I anticipate the best "results from Colonel Pitcher's energy and promptitude in dealing with the criminal "classes of his district."

The Deputy Commissioner, Sultanpur, disposed of only seven cases under his enhanced powers. The Commissioner, Rae Bareli Division, remarks thereon as follows :—

" I know that Mr. White has done abundance of excellent work in other respects, and " his explanation of the small number of cases dealt with under section 34 is in this view " quite sufficient :" and with regard to the small number of cases disposed of by the Deputy Commissioner of Partabgarh :—

" Several cases were committed to the Sessions Court which ought to have been dealt " with under section 34, Criminal Procedure Code."

For this no blame can be attached to the present Deputy Commissioner, Colonel Quin, as he took charge only at the beginning of the fourth quarter of the year.

61. I would commend to the favourable notice of Government the very excellent work done by Deputy Commissioners, under section 34 of the Criminal Procedure Code during the year under report. Their action has not only relieved Commissioners in giving the latter more time for their very important execution of duties ; but also, as pointed out by the Commissioners of Lucknow and of Sitapur, in whose remarks I fully concur, must have had an excellent effect in proving to the turbulent classes that there was on the spot an officer empowered to inflict condign punishment without delay.

62. During 1889 Deputy Commissioners disposed of 727 cases under their ordinary powers, as against 748 in 1888. Mr. Gibson, Gonda, disposed of 175 cases ; Colonel Grigg, Bara Banki, did 89 cases ; and 82 were disposed of by Mr. Smith of Rae Bareli.

Pending cases.

63. At the close of 1889 there were 581 cases pending, as against 492 at the close of 1888. Hardoi showed the highest number, *viz.*, 78, and the lowest number (11) is shown against Unao.

Duration of trial.

64. In 1889 the average duration of cases was 6·5 days, as against 6·02 in 1888, the highest district averages being Hardoi, 8·9 and Bahraich, 9·4. The lowest and highest averages in the different classes of Courts were as follows :—

Classes of Courts.	Provincial average.	Lowest average.	Highest averages.
Benches of Magistrates ...	2·80	Bara Banki ... 1·56 ...	Lucknow City, 3·04; Bahraich, 8·66.
Honorary ditto ...	6·	Gonda ... 1·35 ...	Kheri, 11·13 ; Sultanpur, 11 33 ; Fyzabad, 12·5.
Tahsildárs	6 29	Sitapur ... 3·52 ...	Fyzabad, 7·34 ; Bahraich, 9 03 ; Hardoi, 12·58.
Native Assistants ...	8 31	Unao ... 3 23 ...	Hardoi, 11· ; Fyzabad, 10· ; Bahraich, 10 7.
European ditto ...	6·30	Lucknow ... 2 75 ...	Lucknow City, 10·8 ; Gonda, 12· ; Hardoi, 16 2
District Magistrates, ordinary jurisdiction.	5·80	Kheri–Fyzabad, 3·6 ...	Lucknow, 11·83 ; Partabgarh, 14·6 ; Sultanpur, 24·0.
District Magistrates, section 34 powers.	9·7	Rae Bareli ... 4·4 ...	Sultanpur, 15·2 ; Fyzabad, 16·7 ; Lucknow, 17·3.

Convictions obtained.

65. The district percentages of convictions and committals to the total number of persons disposed of during 1888 and 1889 are as follow :—

	1888.	1889.	*Difference.*
Lucknow City	64·93	67·66	+ 2 73
Lucknow	48·79	55·38	+ 6 59
Fyzabad	55·02	51·95	— 3 07
Bara Banki	43·6	48·2	+ 4 6
Unao	48·54	48 06	— 0·48
Gonda	49·92	46·41	— 3·51
Hardoi	49·40	44·99	— 4·41
Sitapur	42·97	44·36	+ 1·39
Partabgarh	43·47	43·22	— 0·25
Bahraich	48·20	42·05	— 6·15
Kheri	38·	39·	+ 1·
Sultanpur	37·06	38·60	+ 1·54
Rae Bareli	42·34	34·44	— 7·90

Seven district percentages are above the provincial average, and six show an improvement on the previous year's percentage, notably Lucknow + 6·59 and Bara Banki + 4·6. On the other hand the percentages of seven districts are lower than in 1888, three being much lower, *viz.*, Rae Bareli, 7·90; Bahraich, 6·15; and Hardoi, 4·41.

66. The percentages of convictions and committals on the number of persons tried by the several classes of Courts during 1888 and 1889 are shown below :—

Classes of Courts.		1888.	1889.	*Difference.*
Unpaid Magistrates sitting singly		32·78	28·37	—4·41
Benches of Magistrates		65·68	65·06	—0·62
Local and Subordinate paid Magistrates		35·28	35·53	+0·25
Full-power Magistrates of general jurisdiction,	Native ...	47·57	46·83	—0·74
	European...	54·57	56·60	+2·03
Chief Magistrates of districts		75·21	79·11	+3·90
Deputy Commissioners under section 34, Criminal Procedure Code		61·49	75·70	+14·21

The falling off of convictions in the Courts of the Honorary Magistrates cannot be satisfactorily accounted for. The increase in the Courts of Deputy Commissioners under their enhanced powers is very considerable.

Summary trials.

67. Summary trials numbered 3,045 in 1889 as against 2,785 in 1888. Out of 2,097 appealable sentences passed by the Lucknow City Bench in 1,754 cases tried, only 4 were appealed and 3 of those were confirmed. In the whole province 2,257 appealable sentences were passed, of which 8 were appealed and 4 were confirmed. The cases tried by the Lucknow Bench were chiefly of nuisances and breaches of municipal bye-laws. This explains the small number of appeals.

References for enhanced punishment.

68. During 1889 references to Deputy Commissioners for enhanced punishments fell to 429 from 464 in 1888, and were thus disposed of: 339 were confirmed, 60 were modified, and 30 were reversed.

Reference of certain cases tried under section 34, Act X of 1882.

69. The number of sentences referred to Sessions Judges by Deputy Commissioners in 1889 was 98, out of which only one was modified, the remainder being confirmed.

IMPERIAL RETURNS NOS. V AND V-A.—Punishments.

70. Fewer persons by 256 were punished in 1889 than in 1888, in which year they were 31,549 as against 31,293 in 1889 :—

	Number of persons punished.		*Percentage on total number of punishments.*	
	1888.	1889.	1888.	1889.
Transportation...	...	1	...	...
Rigorous imprisonment	8,839	9,146	28·	29·2
Simple ditto	437	440	1·3	1·4
Forfeiture of property	1	...	...	...
Fine	18,307	18,513	58·	59·1
Whipping	2,009	1,800	6·3	5·7
Persons ordered to give security	1,956	1,384	6·1	4·4

Terms of imprisonment.

71. In 1889 sentences of imprisonment were passed on 9,595 persons, as against 9,274 in 1888. The percentages of terms of imprisonment for both years are given below :—

	1888.	1889.
For 15 days and under	18·2	17·71
„ 6 months	59·4	57·56
„ 2 years	21·0	22·23
Over 2 do.	1·1	2·4

The sentences of imprisonment passed upon 14 boys were commuted to detention in the Reformatory School at Bareilly.

Whipping.

72. Sentences of whipping numbered 1,800 in 1889, as against 2,009 in 1888. The fluctuations in percentages of such sentences are as follow :—

	1888	1889.
10 stripes and under	38 1	38 6
20 ditto	47 9	46 1
30 ditto	13 8	15 2

Whipping was inflicted on 31 boys during 1889 for offences which in the case of adults would have entailed other punishment. The number of boys thus punished in 1888 was 17. The percentage of whippings calculated on all cases in which the offenders might have been punished with whipping was 21·05 in 1889, as against 23·34 in 1888.

Persons fined

73. During the year under report 18,513 persons were fined, being 206 more than in 1888. There was an increase of 224 persons fined "Rs. 50 and under;" and of two persons fined "Rs. 100 and under" and a decrease of 20 persons under the headings "Rs. 500 and under" and "Rs. 1,000 and under." The Lucknow City Bench fined 2,328 persons, being 69 persons more than in 1888.

Fines imposed and realised.

74. Fines to the amount of Rs. 99,866 were imposed during 1889, being Rs. 189 less than in the previous year. But 84·7 was realised, as against 81·5 in 1888. The district percentage of realisations were —

Sultanpur	95 41	Unao	83 45
Lucknow	94 78	Gonda	82 23
Rae Bareli	93·85	Bahraich	81 9
Lucknow City	91 45	Bara Banki	81 1
Kheri	86 30	Fyzabad	79 83
Partabgarh	86·23	Sitapur	75·39
Hardoi	61·64		

The Lucknow City Bench realised Rs. 3,306 out of Rs. 3,786 imposed as fines. The above figures are decidedly good.

Outstanding fines.

75. The amount of outstanding fines at the close of 1889 was Rs. 10,416, as against Rs. 11,301 at the close of 1888. The largest amounts outstanding were at Gonda, Rs. 2,324; Lucknow City, Rs. 1,747; and Bara Banki, Rs. 1,001. The amount at Gonda consists of fines imposed on absconding Barwárs, and are probably unrealisable.

Compensation paid

76. Injured persons received as compensation during 1889 Rs. 16,357 out of Rs. 84,654, the amount of fines realised, being 19·3 per cent. as against 24·5 per cent in 1888.

Habitual offenders

77. During the year under report 1,091 habitual offenders were brought to trial, as against 967 in the previous year. Of those tried in 1889, 59 4 per cent. had been convicted once before and 40·6 per cent more than once.

IMPERIAL RETURN No. VI.—Appeals to Deputy Commissioners

78. Deputy Commissioners had before them the appeals of 1,313 persons and confirmed the sentences or rejected the appeals of 818 persons, or 63·7 per cent. The sentences passed on 182 persons, or 14·1 per cent., were modified, on 270 persons, or 20·9 per cent., reversed, and the proceedings taken against 17 persons were quashed. The appeals of 25 persons remained pending at the close of 1889, and the average duration of each appeal was almost the same as in 1888, *viz.*, 8·75 days.

Revision and supervision.

79. In 1889 there were applications under section 435, Criminal Procedure Code, from 531 persons before Deputy Commissioners, such applications referring to 1,089 persons, as against 520 applications in 1888. Applications were rejected or sentences were confirmed as regards 781 persons, or 73 per cent. The sentences on nine persons were reversed,

new trial or further inquiries were ordered in the cases of 221 persons, and the cases of 48 persons were referred to this Court. Applications referring to 22 persons were pending at the close of the year.

80. Deputy Commissioners called up *suo motu* 1,281 cases connected with 2,509 persons in 1889, as against 931 cases, 1,687 persons, in 1888. The cases of 114 persons were referred to this Court.

The largest number of cases called up was 366 at Gonda, and the Deputy Commissioner writes :—

"The large number of files inspected is due to my having doubts respecting the "work of a certain Tahsíldár, whose cases for some months I ordered to be sent to me "for inspection."

Colonel Grigg of Bara Banki called up 232 cases, 179 cases were called up by the Deputy Commissioner of Partabgarh, and Colonel Cowie of Kheri called up 117 cases.

In the Hardoi report only cases called up from Honorary Magistrates are shown, and in Bahraich several cases were sent for and examined, which were not registered at the time.

All cases called for by Deputy Commissioners should be duly registered.

Witnesses examined.

81. The number of witnesses examined by Magistrates rose to 101,340 in 1889, from 99,536 in 1888. The percentage of witnesses discharged on the day they attended was 94·8, and 4·3 per cent. were discharged on the second day of their attendance.

Witnesses dieted.

82. There was a considerable increase in the number of witnesses dieted, and in the amount paid as diet-money in 1889 as compared with the figures for 1888, but the average cost per witness was less :—

	Number of witnesses dieted.	*Total cost.*	*Average cost.*
		Rs.	A. p.
1888 ...	46,191	21,485	7 5
1889 ...	53,202	24,786	7 4

Five districts show higher averages than the provincial one for 1889, but lower than in 1888, *viz.*, Fyzabad, 9 annas 10 pies (—3 annas 1 pie) ; Sitapur 8 annas 11 pies (—2 pies) ; Bahraich 7 annas 10 pies (—7 pies) ; and Bara Banki 7 annas 6 pies (—6 pies).

Weeding records.

83. No less than 11,754 criminal files were weeded at Sultanpur during 1889, and the reports from other districts show that work is either up to date or well in hand.

IMPERIAL RETURN No. IV.—Sessions Courts.

84. The five Sessions Judges disposed of 359 cases, involving 669 persons in 1889, as against 326 cases, 630 persons, in 1888.

A comparative statement of the work done by Sessions Judges in 1888 and 1889 is here given :—

Sessions Courts.	Disposed of.				Pending.				Average duration of each case from date of commitment.	
	1888.		1889.		1888.		1889.			
	Cases.	Persons	Cases.	Persons.	Cases	Persons.	Cases.	Persons	1888.	1889.
									Days.	Days.
Lucknow	81	144	99	232	20	60	8	12	54	59
Ditto, additional ...	22	40	25	42	3	9	1	1	32	51
Sitapur	109	209	97	146	14	21	14	25	35	44
Fyzabad	79	179	81	144	9	13	9	14	46	56
Rae Bareli	35	58	57	105	3	6	6	7	35	56

85. At the close of 1889 there were 38 cases pending, as against 49 at the close of 1888. The increase in the average duration of Sessions trials is due to the following causes :—

In Lucknow one case lasted six months owing to the illness of a female prisoner and the non-appearance of witnesses for the prosecution. Another case occupied 5½ months in consequence of the record being destroyed by fire, necessitating a fresh inquiry by the Magistrate.

In Fyzabad the increase is partly due to the rule of trying Sessions cases in the district in which the offence was committed, and to a case of murder the trial of which lasted eight months owing to frequent adjournments to allow of witnesses being summoned from Nepál.

In Rae Bareli the increase is attributed to the increased number of trials of cases of heinous crime, to the time occupied in the trial of one heavy forgery case at Partabgarh, and to the rule enjoining quarterly jail deliveries at the head-quarters of each district.

IMPERIAL RETURN No. V.—Punishment.

86. Sessions Judges passed the following sentences during 1888 and 1889 :—

	1888.	1889.
Death	35	30
Transportation	97	128
Rigorous imprisonment	243	230
Simple ditto	7	4
Fine	31	41
Whipping	3	8

Fines imposed during 1889 amounted to Rs. 4,483, out of which Rs. 984 were realised and Rs. 313 were paid as compensation to injured persons.

IMPERIAL RETURN No. XIII.—Trials by jury and with assessors.

87. The Lucknow Sessions Judge tried 23 cases by jury in 1889, and approved the verdict in 22 cases. In the previous year 29 cases were so tried.

88. In 233 cases, or 76 per cent. of 305 cases tried with assessors in 1889, the Sessions Judges agreed with the assessors in their findings.

Witnesses examined.

89. Sessions Judges examined 4,578 witnesses in 1889, being 428 more than in 1888. Diet-money and travelling allowances paid to 4,093 witnesses in 1889 amounted to Rs. 4,485, the average cost per witness being Rs. 1-10-6, or 5 annas 4 pies more than in 1888.

IMPERIAL RETURN No. VI.—Appeals.

90. During the year under report the appeals of 2,835 persons came before Sessions Judges, being 98 more than in the previous year. Appeals were rejected or sentences were confirmed in the cases of 2,411 persons, or 85 per cent., as against 84 per cent. in 1888. The sentences passed on 102 persons were modified, were reserved as regards 243 persons, &c., &c. The sentences passed on 102 persons were modified, were reversed as regards 243 persons, proceedings against 10 persons were quashed, and new trial or further inquiries were oredred in the case of six persons.

At the close of 1889, the appeals of 60 persons remained pending. The average duration of each appeal was 10·47 days, as against 10·85 days in 1888. The highest average duration 15·81 days was in the Court of the Commissioner, Rae Bareli Division, and the lowest average 7·62 days in that of the Commissioner, Fyzabad Division.

Revision.

91. Application was made by 256 persons in 1889 to Sessions Judges for revision in respect of 411 persons. In 1888 there were 190 such applications.

Sentences were confirmed or applications were rejected as regards 341 persons, or nearly 83 per cent. Proceedings were quashed or new trial ordered in the cases of 45 persons, and the cases of 21 persons were referred to the Judicial Commissioner. Only two applications remained pending at the close of 1889.

The Commissioner, Fyzabad Division, called up *suo motu* three cases involving six persons ; and the Commissioner, Rae Bareli Division, likewise called up the cases of five persons ; but no references were made to the Judicial Commissioner.

Court of Judicial Commissioner, Oudh.

92. The number of persons dealt with by the Judicial Commissioner during 1889 is here given :—

	Persons.
Report for confirmation of capital sentence	32
Appeals	409
Revision side.	
Applications by parties	281
References by Deputy Commissioners	173
Cases called for *suo motu* by the Judicial Commissioner	13
Total ...	908

The Judicial Commissioner confirmed the death sentences passed upon 16 persons and commuted those passed upon 10 persons to transportation for life and upon two persons to transportation for a term of years. Four persons were acquitted.

93. The office of Judicial Commissioner was held during the year by the Hon'ble Mr. Young except from 3rd August to 20th December, during which period Mr. J. Dyson officiated for him.

I have the honor to be,

SIR,

Your most obedient servant,

W. R. BURKITT,

Offg. Judicial Commissioner, Oudh.

IMPERIAL RETURN No. I.—(Civil, Criminal, and Rent).

Showing the number of Judicial Divisions and the number of Officers exercising original or appellate jurisdiction in the Province of Oudh on the last day of the year 1889, *with the cost of tribunals.*

Name of Province.	Area.	Population.	Number of Divisions for Courts under Chief Court, but superior to Chief Courts of districts.	Number of districts.	Number of sub-districts.	Total number of Officers exercising original or appellate jurisdiction.					Total number of cases decided.				Total receipts of the Courts.	Total charges of the Courts.	Remarks.
						Judges of Chief Court of Province	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of Districts	Judges of District Courts other than Chief Courts.	Judges of other subordinate Courts.	Original.		Appeals.				
											Regular.	Miscellaneous.	Regular.	Miscellaneous.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Territory subject to Judicial Commissioner of Oudh. Civil	23,992 square miles.	11,407,625.	4 Divisions.	12 Districts.	...	..	...	...	...	...	64,977	22,850	4,183	835	Rs.	Rs.	
Criminal											34,152	1,734	3,758	915	11,66,486	14,27,586	
Revenue (Rent)											32,317	13,631	2,980	149			
Charges incurred by the Public Works Department on account of buildings.							...	...	...	...	...	..	...	...	...	14,176	
Total ...	...	...	...	...	...	...	...	...	...	...	131,446	38,215	10,921	1,899	11,66,486	14,41,762	

Grades of Judicial Officers.		European	Native.
Officers exercising both original and appellate jurisdiction.	Judicial Commissioner...	2	...
	District Judges ...	3	1
	Additional Judges ...	..	..
	Subordinate Judges ...	1	11
Officers exercising original jurisdiction only.	Small Cause Court Judges.	2	1
	Munsifs ...	...	25

For Home Revenue and Agricultural Department.

	European.	Native.
Judicial Commissioner	2	...
Commissioners	4	...
Deputy Commissioners	12	...
District Judges	3	1
Subordinate Jndges	1	11
Assistant Commissioners	10	2

	European.	Native.
Extra Assistant Commissioners	4	36
City Magistrate	1	...
Tahsildárs	...	43
Munsifs	...	25
Judges of Small Cause Courts	2	1
Honorary Assistant Commissioners	3	122
Total	42	241

IMPERIAL RETURN No. II.—(CRIMINAL).

Statement of offences reported and persons tried, convicted, and acquitted of each class of offence, in the Province of Oudh in the year 1889.

Description of offence.	Number of offences reported.	Number of cases returned as true.	Number of cases brought to trial during the year.	Number of persons. Under trial during the year, including pending from previous year	Acquitted or discharged.	Convicted.	Died, escaped or transferred to another province.	Remaining under trial.	Remarks.
1	2	3	4	5	6	7	8	9	10
Offences against the State, chapter VI of the Indian Penal Code	...	...	...	...	...	...	..	...	
Ditto relating to the Army and Navy, chapter VII	...	...	...	...	...	...	...	...	
Ditto against the public tranquillity, chapter VIII	613	391	408	2,236	863	1,267	2	104	
Ditto by or relating to public servants, chapter IX	55	41	42	54	27	27	...	...	
Contempts of the lawful authority of public servants, chapter X	538	462	470	946	411	479	4	52	
False evidence and offences against public justice, chapter XI	560	417	439	604	300	280	4	20	
Offences relating to coin and Government stamps, chapter XII	89	79	80	92	36	50	2	4	
Ditto relating to weights and measures, chapter XIII	55	48	48	54	26	28	...	...	
Ditto affecting the public health, &c., chapter XIV	234	176	177	278	55	921	...	2	
Ditto relating to religion, chapter XV	68	33	33	69	43	24	...	2	
Offences affecting the human body, chapter XVI. — Offences affecting life	643	564	596	836	324	456	5	51	
Causing of miscarriage, injury to unborn children, exposure of infants and the concealment of births.	54	49	50	59	18	39	...	2	
Hurt	11,998	7,600	7,743	16,653	13,116	3,161	7	369	
Wrongful restraint and wrongful confinement	387	150	151	327	246	81	...	...	
Criminal force and assault	3,646	2,079	2,118	4,492	3,608	805	2	77	
Kidnapping, or forcible abduction, slavery, and forced labour	170	64	68	122	65	52	2	3	
Rape	83	50	53	56	32	22	...	2	
Unnatural offence	41	29	29	35	16	18	...	1	
Offences against property, chapter XVII. — Theft	6,874	5,083	5,124	6,756	1,834	4,805	10	107	
Extortion	246	53	54	108	87	15	...	6	
Robbery and dakaiti	256	143	147	371	156	201	1	13	
Criminal misappropriation of property	123	75	78	110	56	52	...	2	
Ditto breach of trust	311	162	170	204	100	88	1	15	
Receiving stolen property	979	949	963	1,363	366	958	8	31	
Cheating	356	136	146	204	128	68	2	6	
Fraudulent deeds and disposition of property	9	4	4	19	12	7	...	...	
Mischief	1,875	857	887	1,782	1,399	335	4	44	
Criminal trespass	4,676	3,044	3,095	5,034	2,535	2,418	7	74	
Offences relating to documents and to trade or property marks, chapter XVIII	77	36	38	68	47	9	...	12	
Criminal breach of contracts of service, chapter XIX	3	2	2	12	12	...	...	...	
Offences relating to marriage, chapter XX	1,574	848	871	1,026	820	162	8	36	
Defamation, chapter XXI	523	187	189	285	240	42	...	3	
Criminal intimidation, insult, and annoyance, chapter XXII	275	125	125	215	166	40	1	8	
Offences under the Criminal Procedure Code and offences against special and local laws ...	11,174	9,443	9,523	18,604	6,059	13,343	13	189	
Total	48,565	33,379	33,921	63,074	33,203	28,553	83	1,235	

JUDICIAL STATEMENT

Showing the general result of the trial of European British subjects

Description of offences.	Number of persons accused and brought before a Magistrate.								Persons whose cases were														
		Within the year.							By District Magistrate and other 1st class Magistrates.							By Courts of Sessions.					By High Court.		
	Remaining at the close of the previous year.	On complaint, section 191(a), Criminal Procedure Code.	On police report, section 191(b), Criminal Procedure Code.	By Magistrate *suo motu*, section 191(c) of the Code.	On transfer from other Provinces.	Total.	Died, escaped or transferred to other Provinces.	Number actually brought to trial.	Received by transfer under section 451(b) of the Code.	Convicted.	Acquitted or discharged.	Committed: To Court of Session.	Committed: To High Court.	Transferred by order under section 451(b) of the Code.	Total omitting entries in columns 10 and 15.	Received by transfer under section 451(b) of the Code.	Convicted.	Acquitted or discharged.	Transferred to High Court under section 499 of the Code.	Total, exclusive of column 17.	Convicted.	Acquitted or discharged.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Security for keeping the peace under section 107, Indian Penal Code.	...	3	...	..	...	3	...	3	...	3	...	...	...	...	3	...	..	..	...	..	..	...	...
Not obeying a legal order under section 174, Indian Penal Code.	...	...	...	1	...	1	...	1	...	1	...	...	...	...	1	...	..	...	...	.	..	...	..
Murder under section 302, Indian Penal Code	...	...	2	...	..	2	...	2	...	..	2	...	...	...	2	...	..	...	...	...	...	...	..
Voluntarily causing hurt, section 323, Indian Penal Code.	...	8	...	...	...	8	...	8	...	6	2	...	...	...	8	...	...	...	...	...	..	...	...
Assault under section 352, Indian Penal Code.	..	2	...	...	...	2	..	2	...	1	1	...	..	...	2	...	...	...	...	...	...	...	...
Housebreaking with intent to commit theft, section 454, Indian Penal Code.	...	...	1	...	...	1	.	1	...	..	..	1	..	...	1	...	1	...	...	1	...	..	..
Nuisance under section 34, Act V of 1861,	...	...	6	...	...	6	...	6	...	6	..	...	..	...	6	...	...	...	...	..	...	...	..
Total ...	...	13	9	1	...	23	...	23	...	17	5	1		...	23	...	1	...	...	1	...	..	...

No. II-A.—(Criminal).

in the Courts of the Provinces of Oudh during the year 1889.

disposed of. Total for all Courts. Convicted.	Acquitted or discharged.	Total.	Number of persons under trial.	Number of cases Brought to trial.	Disposed of.	Pending.	Number of persons who applied to the High Court from order under section 456 of the Code.	Of those entered in column 5, number who applied under section 21, Act III of 1864, for transfer or committal of their cases.	Number of persons who applied to the High Court under section 526 of the Code for the transfer of their cases.
25	26	27	28	29	30	31	32	33	34
3	...	3	...	3	3	.	...	...	...
1	...	1	...	1	1	..	..	...	...
...	2	2	...	1	1	..	...	...	...
6	2	8	...	6	6		...	...	...
1	1	2	...	2	2	..	...	...	...
1	...	1	...	1	1	..	...	...	...
6	...	6	...	6	6	..	...	...	...
18	5	23	...	20	20	..	...	...	...

SUBSIDIARY TABLE

35							36			
Of the total number of persons shown in—							Of cases shown in column 30.			
Column 16.			Column 21.		Columns 21 and 22.		Disposed of by Magistrates.		Disposed of by Sessions Judge.	
Number who claimed to be tried by a mixed jury, section 451A(1) of the Code.	Number who did not so claim.	Number of those in column 35(1) whose cases were transferred under section 451 of the Code.	Number who claimed a mixed number of assessors, section 451(2) of the Code.	Number who did not so claim.	Number who claimed to be tried by a mixed jury, section 451(1) of the Code.	Number who did not so claim.	Being European British subjects.	Other than European British subjects.	Being European British subjects.	Other than European British subjects.
1	2	3	4	5	6	7	8	9	10	11
...	...	...	...	...	...	...	20	...	...	...

IMPERIAL RETURN No. III.—(Criminal).

Statement of miscellaneous proceedings under the Code of Criminal Procedure of Oudh during the year 1889.

Nature of proceedings.	Total number of cases before the Courts during the year	Number of persons concerned.	Number of persons discharged.	Number of persons convicted.	Remarks.
1	2	3	4	5	6
1. Proceedings against witnesses under Chapter VI-C. and section 485 of Chapter XXXV	...	...	...	...	
2. Proceedings under Chapter VIII, to prevent breach of the peace	599	2,202	1,160	988	
3. Proceedings under Chapter VIII, security for good behaviour	336	532	130	379	
4. Proceedings against local nuisances, Chapter X	177	352	48	296	
5 Possession, Chapter XII	40	90	36	51	
6. Frivolous or vexatious complaints summarily dealt with under Chapter XX, section 250	191	201	...	201	
7. Non-attendance of jurors or assessors, Chapter XXIII, section 332	6	10	4	6	
8. Maintenance, Chapter XXXVI	642	642	478	159	
9. Forfeiture of bail or recognizance under Chapter XVII	41	50	15	34	
Total ...	2,032	4,079	1,871	2,114	

IMPERIAL RETURN No. IV.—(CRIMINAL).

Statement showing the General result of Criminal trials in the tribunals of various classes in the Province of Oudh in the year 1889.

Classes of Courts	Total number of persons under trial.	Died, escaped or transferred to another province.	Persons whose cases were disposed of				Persons remaining under trial at the end of the year.	Number of cases disposed of during the year.	Average number of days during which each case lasted	Number of witnesses examined.	Remarks
			Discharged or acquitted	Convicted.		Committed or referred.					
				On regular trial	On summary trial						
1	2	3	4	5	6	7	8	9	10	11	12
Unpaid Magistrates, sitting singly	7,923	2	5,565	2,159	34	12	151	3,804	6 00	10,260	
Benches of Magistrates	9,561	3	3,314	3,992	2,186	...	66	5,406	2 81	6,344	
Local and subordinate paid Magistrates	14,730	5	9,380	5,173	...	...	172	6,797	6 29	16,042	
Full-power Magistrates of general jurisdiction — Natives	23,334	55	12,029	9,309	919	419	603	13,006	8·31	51,263	
Full-power Magistrates of general jurisdiction — Europeans	5,262	8	2,211	2,289	466	139	149	3,081	6·30	10,196	
Chief Magistrates of Districts	1,443	4	294	902	195	32	16	731	5 80	2,280	
Deputy Commissioners under section 30, Act X of 1882 ...	687	1	162	375	...	134	15	415	9 70	3,107	
Total Magistracey	62,940	78	32,955	24,199	3,800	736	1,172	33,240	6 50	99,492	
Commissioners (Sessions)	728	4	255	335	75	669	59	359	55 46	4,578	

IMPERIAL RETURN No. V.—(Criminal).

Showing the punishments inflicted by the various Criminal Tribunals in the Province of Oudh in the year 1889.

Classes of Courts.	Persons sentenced to										Detail of punishment.																
				Imprisonment.							Fine.									Imprisonment.					Whipping.		
	Death.	Transportation.	Penal servitude.	Rigorous.	Simple.	Forfeiture of property.	Fine.	Whipping.	Persons ordered to fine or give security or recognizance to keep the peace or securities for good behaviour.	Persons imprisoned in default of security for good behaviour.	Rs. 10 and under.	Rs. 50 and under.	Rs. 100 and under.	Rs. 500 and under.	Rs. 1,000 and under	Above Rs. 1,000.	Total amount of fines imposed during the year.	Total amount of fines realised during the year.	Amount paid by way of compensation.	15 days and under.	6 months and under.	2 years and under.	7 years and under.	Above 7 years.	10 stripes.	20 stripes.	30 stripes.	Number of boys whose sentences were commuted to detention in a Reformatory School.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
																	Rs. a. p	Rs. a. p	Rs. a. p.									
Honorary Magistrates sitting singly	...	...	...	926	56	..	1,382	95	9	8	1,263	118	1	...	...	...	7,597 5 9	6,883 5 4	823 13 5	365	530	86	1	...	52	32	11	...
Bench Magistrates	...	..	..	275	6	..	5,930	20	...	...	5,830	100	...	..	.	...	7,207 9 0	6,590 10 11	345 5 4	89	192	...	...	...	6	14	...	...
Stipendiary Magistrates sitting singly.		...	.	7,042	365	.	10,739	1,325	1,291	306	9,136	1,537	51	13	2	...	76,294 9 2	66,036 2 8	13,945 3 11	1,180	4,434	1,791	2	...	519	616	190	12
District Courts, cases decided under section 34, Criminal Procedure Code.	..	1	...	394	6		98	39	1	1	44	43	7	4	...	...	3,394 8 0	1,169 4 9	604 14 10	8	43	117	231	1	3	13	23	1
Chief Magistrates of districts ...	..	...	.	509	16	..	364	321	83	45	260	88	11	5	..	..	5,371 15 7	3,974 14 10	638 0 4	58	324	139	4		116	155	50	1
Total ...	..	1	..	9,146	449	..	18,513	1,800	1,384	360	16,533	1,886	70	22	2	.	99,865 15 6	84,654 6 6	16,357 5 10	1,700	5,523	2,133	238	1	696	830	274	14
Courts of Sessions (Commissioners,)	30	128	..	230	4	.	41	8	...	...	5	30	3	1	1	1	4,483 4 0	983 9 3	312 11 9	...	37	77	108	12	1	5	2	...

IMPERIAL RETURN No. V-A.—(Criminal).

Part I.

Showing whippings inflicted under sections 2 and 3, Act VI, 1864, in lieu of other punishments.

Offences for which awarded.	Number of stripes awarded.												Total.	Remarks.
	5 and under.		6 to 10.		11 to 15.		16 to 20.		21 to 25		26 to 30.			
	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
IN LIEU OF OTHER PUNISHMENTS. (Sections 2 and 3, Act VI, 1864.)														
1. Theft as defined in ... Section 376, I. P. C. ...	...	...	...	...	1	...	...	...	...	...	1	...	2	
" 378, " ..	77	...	303	3	191	22	118	9	26	1	31	3	781	
" 379, I. P. C. ...	...	...	1	...	...	1	...	...	...	...	..	...	2	
" 380, " ...	16	1	57	3	66	4	41	2	9	...	5	1	208	
" 381, " ..	8	...	11	...	13	...	8	...	2	...	...	...	42	
" 382, " ..	4	...	15	...	1	...	2	...	...	...	...	...	22	
2. Extortion as defined in ... " 388. " ...	...	...	...	...	...	...	...	...	...	...	..	...	...	
" 389, " ...	...	...	...	...	..	...	...	...	...	...	...	...	...	
3. Punishment for robbery ... " 392, " ..	...	...	...	...	...	...	...	..	...	...	...	1	1	
4. Dishonest misappropriation of property as defined in ... " 403, " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
5. Criminal breach of trust as defined in ... ... " 406. " ..	...	...	...	...	...	..	...	...	...	...	...	...	...	
6. Dishonestly receiving stolen property as defined in ... " 411, " ...	4	...	33	...	19	1	30	1	7	..	11	...	106	
" 412, " ..	...	...	...	1	...	..	..	...	...	...	...	...	1	
7. Lurking house-trespass as defined in ... ... " 443, " ..	2	...	46	...	8	...	11	..	4	...	3	...	74	
8. Lurking house-trespass by night as defined in ... ... " 444, " ..	2	..	14	4	7	1	12	3	2	...	2	1	48	
" 451, " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
9. House-breaking as defined in... " 445, " ..	5	...	11	...	18	...	14	1	5	...	4	...	58	
10. House-breaking by night as defined in ... ... " 446, " ..	5	...	27	...	46	1	33	...	7	1	13	1	134	
Offence under Act XXVI, 1870, " 457 ..	...	...	...	.	...	...	...	...	...	...	...	...	...	
" " " XXVII, 1871, sections 19 and 456 ..	...	...	7	...	9	...	6	...	1	...	5	...	28	
" " " III, 1880, " 14 " 325 ...	...	...	1	...	...	...	...	...	...	...	...	...	1	
" " " VII, 1878, section 25 ..	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total	123	1	526	11	379	30	278	16	63	2	75	7	1,511	

IMPERIAL RETURN No. V-A.—(Criminal).

Part II.

Showing whippings inflicted in addition to other punishments, sections 3 and 4, Act VI, 1864.

Offences for which awarded.	Number of stripes. 5 and under	6 to 10.	11 to 15.	16 to 20.	21 to 25.	26 to 30.	Total.	Remarks.
1	2	3	4	5	6	7	8	9
IN ADDITION TO OTHER PUNISHMENTS. (Sections 3 and 4)								
A.—Section 3.								
1. Theft as defined in ... ... Sec 378 I P.C. ..	1	5	17	13	17	23	76	
" 380 " ...	...	...	3	3	6	9	21	
" 381 " ...	...	...	...	...	...	...	...	
" 382 " ...	...	...	...	...	...	...	...	
2. Extortion as defined in ... .. " 388 " ...	...	...	...	...	...	...	...	
" 389 " ...	...	...	...	...	...	...	...	
3 Dishonestly receiving stolen property as defined in ... ... " 411 " ...	...	2	8	1	1	1	13	
" 412 " ...	...	...	...	...	...	...	...	
4. Lurking house-trespass as defined in ... " 443 " ...	...	...	...	1	...	2	3	
5. Lurking house-trespass by night as defined in ... ... " 444 " ...	...	...	...	2	2	11	17	
6. Housebreaking as defined in ... " 445 " ...	...	...	5	1	...	6	12	
7. Housebreaking by night as defined in ... " 446 " ...	...	3	5	3	...	10	24	
8 Offences under section 14, Act III, 1880	...	...	8	...	...	...	...	
B.—Section 4.								
1. False evidence as defined in ... ... Sec. 193 I. P. C. ...	...	...	...	...	...	...	...	
" 194 " ...	...	...	...	...	...	...	...	
" 195 " ...	...	...	...	...	...	...	...	
2. False charge of unnatural offences defined in ... ... " 211 " ...	...	...	...	...	...	...	...	
" 377 " ...	...	...	...	...	...	...	...	
3. Assault as defined in ... ... " 354 " ...	...	...	...	...	...	...	...	
4. Rape as defined in ... ... " 375 " ...	...	...	...	...	...	...	...	
5 Unnatural offences as defined in ... " 377 " ...	...	...	...	...	...	...	...	
6 Robbery as defined in ... ... " 390 " ...	...	...	...	1	...	1	2	
7. Dakáiti as defined in ... ... " 391 " ...	...	...	...	...	...	...	...	
8 Attempt at robbery as defined in ... " 393 " ..	...	...	...	...	...	...	...	
9. Hurt in committing robbery as defined in " 394 " ..	...	...	...	...	...	...	...	
10. Receiving stolen property as defined in ... " 413 " ...	...	...	..	...	...	...	...	
11. Forgery as defined in ... ... " 463 " ...	...	...	...	...	...	...	...	
11. Forgery as defined in ... ... " 466 " ..	...	...	...	...	...	...	...	
" 467 " ...	...	...	...	...	...	...	...	
" 468 " ...	...	...	...	...	...	...	...	
" 469 " ...	...	...	...	...	...	...	...	
12. Lurking house trespass as defined in ... " 443 " ...	...	...	...	...	...	...	...	
13. Lurking house trespass by night as defined in ... ... " 444 " ...	...	...	...	...	...	..	...	
14. Housebreaking as defined in ... " 445 " ...	...	...	...	1	2	2	5	
15. Housebreaking by night as defined in ... " 446 " ...	...	...	...	...	...	...	1	
Offences under section 19, Act XXVII, 1871	...	1	19	29	2	31	82	
Ditto section 487, Act III, 1880	...	...	...	...	...	...	...	
Total ...	1	11	62	55	30	97	256	

Note.—Include juveniles punished under any of these heads.

IMPERIAL No. V-A.—(Criminal).

Part III.

Showing whippings inflicted under section 5, Act VI, 1864 on juveniles for offences other than those specified in Parts I and II.

Offences.	Stripes.												Total.	Remarks.
	5 and under.		6 to 10.		11 to 15.		16 to 20.		21 to 25.		26 to 30			
	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
False charge of offence made with intent to injure, section 214, Indian Penal Code.	...	...	...	...	1	...	...	...	...	...	...	...	1	
Delivery to another of coin as genuine which, when first possessed, the deliverer did not know to be counterfeit, section 241, Indian Penal Code.	...	...	...	...	1	...	...	...	...	...	...	...	1	
Delivery of Queen's coin possessed with the knowledge that it is altered, section 251, Indian Penal Code.	...	...	...	...	1	...	...	...	...	...	...	...	1	
Voluntarily causing hurt, section 323, Indian Penal Code ...	1	...	...	...	...	...	1	...	...	..	...	...	2	
Punishment for voluntarily causing hurt by dangerous weapons or means, section 324, Indian Penal Code.	...	...	...	...	1	...	...	...	...	...	...	...	1	
Punishment for voluntarily causing grievous hurt, section 325, Indian Penal Code.	1	...	2	...	...	...	...	...	...	...	...	...	3	
Voluntarily causing grievous hurt by dangerous weapons or means, section 326, Indian Penal Code.	...	...	...	...	1	...	...	...	...	...	...	...	1	
Using criminal force to deter a public servant from discharge of his duty, section 353, Indian Penal Code.	...	...	...	2	...	...	...	...	...	...	...	...	2	
Rape, section 376, Indian Penal Code	...	...	...	...	...	...	2	...	...	...	...	...	2	
Unnatural offences, section 377, Indian Penal Code ..	...	...	2	...	4	...	1	...	...	...	...	...	7	
Theft as defined in section 380, Indian Penal Code ...	...	...	2	...	...	...	...	...	...	...	...	...	2	
Dishonest misappropriation of property, section 403, Indian Penal Code.	1	...	...	...	...	...	...	...	...	...	...	...	1	
Mischief by killing or maiming cattle, &c., or any animal of the value of Rs. 50, section 429, Indian Penal Code.	...	...	...	3	...	...	...	...	...	...	...	...	3	
Mischief by fire, section 436, Indian Penal Code ...	...	...	...	...	1	...	...	...	...	...	...	...	1	
Lurking house trespass or housebreaking in order to the commission of an offence punishable with imprisonment, section 454, Indian Penal Code.	...	...	1	...	...	...	...	...	...	...	...	...	1	
Gambling, Act III of 1867	...	...	1	...	1	...	...	...	...	...	...	...	2	
Total ...	3	...	8	5	11	...	4	...	...	...	...	...	31	

IMPERIAL RETURN No. V-A.—(Criminal).

Part IV.

Showing relative number of times whipping was awarded as compared with other punishments.

Punishments.	Number.	Remarks.
1	2	3
1. * Total number of whippings awarded	1,898	
2. † Total number of other punishments	7,115	
Percentage of whippings	21 05	

* Total of column 14, Parts I and III and of column 8, Part II.

Not containing punishments of whipping which was a part, but including all cases in which whipping might have been inflicted.

IMPERIAL RETURN No. VI.—(Criminal).

Showing the result of appeal and revision in criminal cases in the Province of Oudh during the year 1889.

Tribunals.	Total number of appellants and applicants before the Courts.	Number of persons.										Average number of days during which each appeal lasted.	Remarks.
		Died, escaped or transferred to another province.	Appeals or applications rejected.	Sentence or order confirmed.	Sentence enhanced.	Sentence reduced or otherwise altered.	Sentence reversed.	Proceedings quashed.	New trial or further inquiries ordered.	Referred for revision to the High Court.	Pending trial.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Appeals.													
To Chief Magistrates of Districts ...	1,313	1	46	772	...	182	270	17	...	...	25	8·75	
To Sessions Courts...	2,835	3	1,282	1,129	...	102	243	10	6	...	60	10·47	
Superior Courts ... By persons convicted ...	421	...	133	216	...	37	18	...	...	...	17	26·56	
Superior Courts ... By Government ...	3	...	...	2	...	...	1	...	...	...	...	33·33	
Total ...	4,572	4	1,461	2,119	...	321	532	27	6	...	102	11 60	
Revision.													
By Chief Magistrates of Districts ...	145	2	715	66	...	6	9	...	221	48	22	10·96	453 applications by 386 complainants against 944 accused.
By Courts of Sessions	156	2	261	80	...	...	...	1	44	21	2	13·46	95 ditto 100 ditto ditto 255 do.
By Superior Courts	376	...	150	141	10	34	86	25	21	...	4	16 13	46 ditto 50 ditto ditto 95 do.
Total ...	677	4	1,126	287	10	40	95	26	286	69	28	12 96	594 ditto 536 ditto ditto 1,294 do.

IMPERIAL RETURN No. XIII.—(Criminal).

Statement showing the use of juries and assessors in the Criminal Courts in the Provinces of Oudh for the year 1889.

Classes of Courts in which assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of jurors or assessors in each case and prescribed qualification.	Number of cases tried by jury.	Number of cases with assessors.	Jury trials.					Assessors trials.			Remarks.
				Cases in which the Judge approved of the verdict.	Cases in which the Judge did not approve of the verdict.		Number of persons of the verdict in respect to whom the Judge disapproved.		Number of cases in which Judge agreed with assessors	Number of cases in which Judge differed from.		
					Wholly.	Partially.	Whose cases he referred under section 263, Criminal Procedure Code.	Whose cases he did not refer under section 263, Criminal Procedure Code.		One assessor.	Both assessors.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Commissioner, Lucknow Division, and Additional Sessions Judge, Lucknow.	5 jurors ...	23	..	22	1	...	5	...	...	...	...	
	2 assessors ...	...	85	...	...	...	...	...	69	1	15	
Commissioner, Sitapur Division	2 do. ...	...	91	...	...	...	...	...	71	7	13	
Ditto, Fyzabad do.	2 do. ...	...	76	...	...	...	...	...	59	3	14	
Ditto Rae Bareli do.	3 do. ...	...	53	...	...	...	...	...	34	7	12	
Total ...	...	23	305	22	1	...	5	...	233	18	54	

A.—*Showing in detail for each class the number of persons convicted in 1889.*

Districts.	Offences against the State and relating to the Army and Navy,—Chapters VI and VII, Indian Penal Code.	Offences against the public tranquillity—Chapter VIII.	Offences by and relating to public servants—Chapters IX and X.	Offences against public justice and false evidence—Chapter XI.	Offences relating to coin, stamps, weights and measures Chapters XII and XIII.	Offences affecting public health, &c., and religion—Chapters XIV and XV.	Offences affecting the human body—Chapter XVI.	Offences against property—Chapter XVII.	Miscellaneous offences under the Penal Code—Chapters XVIII to XXII.	Total offences under the Penal Code.	Offences under the Code of Criminal Procedure and under Special Laws.	Grand Total.
Lucknow City... ...	...	13	3	11	3	93	130	331	15	599	2,382	2,981
Lucknow	...	80	20	11	6	16	298.	432	6	869	723	1,592
Unao	...	41	30	12	4	13	322	559	14	995	567	1,562
Bara Banki	...	195	55	24	11	20	405	861	36	1,607	616	2,223
Sitapur	...	58	18	21	6	10	397	725	24	1,259	822	2,081
Hardoi	...	116	98	36	6	23	523	1,130	24	1,956	1,364	3,320
Kheri	...	118	30	28	2	17	298	916	13	1,422	218	1,640
Fyzabad	...	166	37	23	4	19	423	708	28	1,408	2,294	3,702
Bahraich	...	117	11	17	3	6	227	767	16	1,164	455	1,619
Gonda	...	141	80	32	5	6	436	659	11	1,370	1,139	2,509
Rae Bareli	...	63	19	15	15	13	396	566	18	1,105	765	1,870
Sultanpur	...	123	44	25	6	7	491	588	16	1,300	657	1,957
Partabgarh	...	36	61	25	7	2	288	706	32	1,157	340	1,497
Total ...	...	1,267	506	280	78	245	4,634	8,948	253	16,211	12,342	28,553

B.—*Showing the number of cases brought to trial during the year, disposed of and pending in the Courts of Session and the Courts of Magistrates in 1889.*

Districts.	Court of Session.			Courts of Magistrates.			Remarks.
	Brought to trial.	Disposed of.	Pending.	Brought to trial.	Disposed of.	Pending.	
Lucknow City ...	...	...	...	2,773	2,715	58	
Lucknow	34	33	1	1,716	1,702	14	
Unao	28	27	1	1,806	1,795	11	
Bara Banki	45	39	6	2,577	2,515	62	
Sitapur	27	22	5	2,592	2,545	47	
Hardoi	42	38	4	3,856	3,778	78	
Kheri	42	37	5	2,709	2,659	50	
Fyzabad	33	31	2	3,705	3,649	56	
Bahraich	24	21	3	1,894	1,866	28	
Gonda	33	29	4	3,134	3,083	51	
Rae Bareli	24	19	5	2,690	2,658	32	
Sultanpur	23	23	...	2,844	2,816	28	
Partabgarh	16	15	1	2,025	1,959	66	
Total	371	334	37	33,821	33,240	581	

C.—*Showing the number of persons concerned in cases decided under the miscellaneous provisions of the Criminal Procedure Code during the year 1889.*

Districts.	Frivolous or vexatious complaints summarily dealt with under Chapter XX, section 250.	Proceedings against witness under Chapter VI, and section 485 of Chapter XXXV.	Forfeiture of bail or recognizances under Chapter XLII.	Non-attendance of jurors or assessors, Chapter XXIII, section 332.	Contempts of Court under Chapter XXXV, section 480.	Proceedings under Chapter VIII, to prevent breach of peace.	Proceedings under Chapter VIII, security for good behaviour.	Proceedings against public nuisance, Chapter X.	Possession, Chapter XII, and section 522 of Chapter XLIII.	Maintenance Chapter XXXVI.	Total of persons.
Lucknow City ...	1	...	7	...	...	65	19	114	9	158	373
Lucknow	3	...	...	...	...	56	14	24	1	22	120
Unao	29	...	2	...	1	165	6	...	1	21	225
Bara Banki	4	...	4	...	...	230	116	7	9	63	433
Sitapur	3	...	2	2	...	126	33	47	3	53	269
Hardoi	8	...	7	...	...	388	134	116	40	34	757
Kheri	19	...	...	...	...	84	3	9	2	30	147
Fyzabad	58	...	11	2	...	260	44	...	6	102	483
Bahraich	10	...	5	...	...	37	32	...	2	24	110
Gonda	10	...	5	...	...	208	37	...	5	38	303
Rae Bareli	18	...	2	...	...	233	46	...	...	20	319
Sultanpur	26	...	1	...	...	276	15	5	7	52	382
Partabgarh	12	...	4	6	...	74	33	...	5	25	159
Total ...	201	...	50	10	1	2,202	532	352	90	642	4,080

D.—*Showing the results of trials in the Courts of Session in* 1889 *(as affecting persons).*

Districts.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Referred.	Died, escaped or transferred.	Remaining under trial.	Number per cent. of persons entered in columns 3 and 4, and of those whose cases were referred under section 374, Criminal Procedure Code, who were convicted.	Remarks.
1	2	3	4	5	6	7	8	9
Lucknow	42	5	34	...	...	3	87	
Unao	88	44	43	...	...	1	49	
Bara Banki	114	43	63	...	...	8	59	
Sitapur	44	11	22	...	...	11	66	
Hardoi	67	25	35	...	1	6	58	
Kheri	60	12	40	...	...	8	76	
Fyzabad	48	15	29	1	...	3	65	
Bahraich	46	19	24	...	...	3	55	
Gonda	64	28	27	1	...	8	48	
Rae Bareli	42	10	24	...	2	6	70	
Sultanpur	40	11	29	...	...	...	72	
Partabgarh	30	8	20	...	1	1	71	
Total ...	685	231	390	2	4	58	61	
Judicial Commissioner's Court, Oudh,	35	4	28	...	...	3	87	
GRAND TOTAL ...	720	235	418	2	4	61	64	

E.—*Showing the results of trials in the Court of Magistrates in 1889 (as affecting persons).*

Districts.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Committed or referred.	Died, escaped or transferred.	Remaining under trial.	Number per cent. of persons entered in columns 3 and 4 who were convicted.	Remarks.
1	2	3	4	5	6	7	8	9
Lucknow City	4,492	1,422	2,942	42	4	82	67·	
Lucknow	2,920	1,288	1,568	31	...	33	54.	
Unao	3,314	1,705	1,509	67	2	31	46.	
Bara Banki	4,854	2,198	2,131	111	2	112	46.	
Sitapur	4,829	2,618	2,059	31	3	118	44	
Hardoi	7,557	4,006	3,248	102	7	194	41	
Kheri	4,242	2,491	1,596	56	...	99	38.	
Fyzabad	7,231	3,396	3,661	56	15	103	51.	
Bahraich	3,977	2,236	1,586	52	21	82	41.	
Gonda	5,520	2,891	2,466	66	2	95	46·	
Rae Bareli	5,423	3,468	1,834	51	11	59	34·	
Sultanpur	5,129	3,120	1,926	37	2	41	37·	
Partabgarh	3,452	1,816	1,473	34	9	120	44·	
Total ...	62,940	32,955	27,999	736	78	1,172	45·	

F.—*Showing the number of witnesses examined and the number of persons to whom payments were made on account of expenses in Courts of Session and Courts of Magistrates in* 1889.

Districts.	Number of witnesses examined.				Amount paid as expenses.		Remarks.
	Courts of Session.		Magistrates' Courts.		Courts of Session.	Magistrates' Courts.	
	Number of persons to whom payments were made.	Number of witnesses examined.	Number of persons to whom payments were made.	Number of witnesses examined.	Amount paid.	Amount paid.	
					Rs. a. p.	Rs. a. p.	
Lucknow City	...	...	2,544	5,125	...	803 15 0	
Lucknow	1,559	1,691	2,287	5,063	1,297 6 0	879 14 0	
Unao	...	...	2,935	6,016	...	1,335 8 0	
Bara Banki ...	...	...	5,544	9,776	...	3,902 15 6	
Sitapur	1,055	1,257	4,389	8,160	1,665 0 2	2,550 15 6	
Hardoi	...	...	5,230	10,971	...	2,695 2 9	
Kheri	...	...	6,084	8,983	...	2,754 3 0	
Fyzabad	794	845	3,178	9,354	709 5 0	2,317 2 6	
Bahraich	...	...	4,561	9,119	...	2,304 8 0	
Gonda	...	...	4,774	9,201	...	2,609 11 0	
Rae Bareli ...	685	785	5,152	7,390	813 5 6	2,114 7 0	
Sultanpur ...	...	...	3,413	6,257	...	1,451 5 0	
Partabgarh ...	...	...	2,811	5,925	...	1,264 0 0	
Total ...	4,093	4,578	53,202	1,01,340	4,485 0 8	26,083 11 3	

G.—*Showing the detention of witnesses in Courts of Sessions and Courts of Magistrates, 1889.*

Districts.	Number of witnesses discharged.							
	Courts of Sessions.				Magistrates' Courts.			
	On the first day	On the second day	On the third day.	After the third day	On the first day.	On the second day	On the third day.	After the third day.
Lucknow City	...	...	...	...	4,287	655	151	32
Lucknow	1,108	207	171	205	4,694	340	29	...
Unao	...	..	...	...	5,796	178	7	35
Bara Banki	...	...	...	...	9,484	259	33	..
Sitapur	865	222	83	87	7,929	198	30	3
Hardoi	...	...	...	...	10,471	414	72	14
Kheri	...	...	...	...	8,296	512	136	39
Fyzabad	675	100	34	27	8,917	398	18	21
Bahraich	...	...	...	...	9,038	60	21	...
Gonda	.	...	...	...	8,742	400	48	11
Rae Bareli	486	184	35	80	7,050	315	14	11
Sultanpur	...	...	...	...	6,049	180	21	7
Partabgarh	...	...	...	...	5,399	452	61	13
Total ...	3,134	722	323	399	96,152	4,361	641	186

II.—*Showing the total amount of fines imposed in the exercise of original jurisdiction by the Criminal Courts in 1889, the amount realised, and the amount paid by way of compensation.*

Districts.	Courts of Session.			Magistrates' Courts.			Remarks.
	Total amount of fines.	Amount realised.	Amount paid by way of compensation.	Total amount of fines.	Amount realised.	Amount paid by way of compensation	
	Rs	Rs.	Rs.	Rs.	Rs.	Rs	
Lucknow City	...	...	...	11,458	6,743	2,421	
District Lucknow	3,475	1,245	612	4,006	3,787	553	
Unao	...	...	..	6,953	5,838	1,261	
Bara Banki	...	...	...	10,960	8,607	2,222	
Sitapur	878	210	110	5,971	4,503	1,264	
Hardoi	..	...	...	12,866	8,041	1,883	
Kheri	...	...	...	5,814	4,689	806	
Fyzabad	75	...	...	9,197	7,273	1,394	
Bahraich	...	..	...	6,013	4,877	758	
Gonda	...	...		15,312	11,065	1,116	
Rae Bareli	3,280	150	112	6,497	5,771	1,417	
Sultanpur	...	...	..	8,153	8,020	1,161	
Partabgarh	...	..	...	6,825	5,660	597	
Total ...	7,708	1,605	834	1,10,325	84,874	16,853	

I.—*Showing the number of appeals (cases) preferred, disposed of and pending in the Courts of Sessions Judges and of District Magistrates in 1889.*

Districts.	Preferred.		Disposed of.		Pending.		Remarks.
	Court of Session.	Court of District Magistrate.	Court of Session.	Court of District Magistrate.	Court of Session.	Court of District Magistrate.	
Lucknow City	...	24	...	24	...	...	
Lucknow District	180	56	178	55	2	1	
Unao	63	55	63	54	...	1	
Bara Banki	225	49	223	49	2	...	
Sitapur	295	32	292	32	3	...	
Hardoi	358	83	347	83	11	...	
Kheri	352	92	344	92	8	...	
Fyzabad	118	86	118	83	...	3	
Bahraich	98	69	98	66	...	3	
Gonda	304	156	296	150	8	6	
Rae Bareli	147	112	142	112	5	...	
Sultanpur	179	94	179	90	...	4	
Partabgarh	91	55	85	55	6	...	
Total ...	2,410	963	2,365	945	45	18	

J.—*Showing the number of applications for revision (cases) preferred, disposed of, and pending in the Courts of Session Judges and of District Magistrates in 1889.*

Districts.	Preferred.		Disposed of		Pending.		Remarks.
	Court of Session.	Court of District Magistrate.	Court of Session.	Court of District Magistrate.	Court of Session.	Court of District Magistrate.	
Lucknow City	...	7	...	7	...	...	
Lucknow	27	3	27	3	...	...	
Unao	12	20	11	20	1	...	
Bara Banki	16	17	16	17	...	...	
Sitapur	16	2	16	2	...	...	
Hardoi	17	27	17	27	...	...	
Kheri	2	58	2	58	...	...	
Fyzabad	52	106	52	103	...	3	
Bahraich	3	30	3	30	...	...	
Gonda	14	55	14	50	...	5	
Rae Bareli	11	42	10	42	1	...	
Sultanpur	9	44	9	44	...	...	
Partabgarh	6	30	6	30	...	...	
Total ...	185	441	183	433	2	8	

K.—*Showing the number of persons whose cases came before the Courts of Session Judges and of District Magistrates on appeal or application for revision, with the result as affecting the orders of the Lower Courts, in 1889.*

Districts.	Appeals.				Applications for revision.			Remarks.
	Number of persons who appealed.	Ratio per cent. of persons appealing to persons in respect to whom appealable orders were passed	Number of applicants in whose cases (1) appeals or applications were rejected, and (2) sentences or orders were confirmed.	Ratio per cent. of affirmed to decided.	Number of applicants (accused persons) for revision.	Number of accused persons in whose cases applications for revision were rejected or orders were confirmed.	Ratio per cent. of rejected to disposed of.	
Lucknow City ...	35	1·	21	...	1	11	91·	
Lucknow ...	258	33·	221	...	28	76	96·	
Unao	168	13·	118	...	14	48	56·	
Bara Banki ...	334	21·	237	...	36	36	76·	
Sitapur	365	23·	321	...	7	39	78·	
Hardoi	577	20·	471	...	18	103	89·	
Kheri	458	40·	393	...	22	91	81·	
Fyzabad	322	10·	218	...	44	262	73·	
Bahraich	171	14·	121	...	25	58	56·	
Gonda	504	25·	373	...	53	131	64·	
Rae Bareli ...	387	25·	268	...	13	101	83·	
Sultanpur ...	361	26·	299	...	21	105	89·	
Partabgarh ...	208	21·	165	...	19	61	85·	
Total ...	4,118	27·	3,229	...	301	1,122	76·	

L.—*Showing the number of appeals and applications for revision (cases) preferred, disposed of, and pending in the Court of the Judicial Commissioner of Oudh in 1889.*

Districts.	Appeals.			Applications for revision.			Remarks.
	Preferred.	Disposed of.	Pending.	Preferred.	Disposed of.	Pending.	
Lucknow	41	41	...	23	22	1	
Unao	35	35	...	10	10	...	
Bara Banki	42	42	...	9	9	...	
Sitapur	28	28	...	11	11	...	
Hardoi	40	35	5	21	21	...	
Kheri	30	28	2	1	1	...	
Fyzabad	29	27	2	10	10	...	
Bahraich	14	14	...	4	4	...	
Gonda	47	43	4	18	18	...	
Rae Bareli	40	40	...	16	15	1	
Sultanpur	15	15	...	2	2	...	
Partabgarh	7	5	2	4	4	...	
Total ...	368	353	15	129	127	2	

M.—*Showing the result, as affecting persons, of appeals and revision in the Court of the Judicial Commissioner of Oudh in 1889.*

Sessions Divisions.	Appeals						Application for revision.					
	Rejected.	Sentence affirmed.	Sentence reversed	Sentence varied.	Further inquiry ordered.	Otherwise disposed of.	Rejected	Order affirmed.	Order reversed.	Order varied.	Further inquiry ordered.	Otherwise disposed of.
Lucknow ...	22	18	1	...	.	...	39	15	5	2	...	...
Unao ...	5	25	5	1	...	...	10	1	3	...	...	..
Bara Banki ...	3	42	4	3	...	...	6	7	...	1	...	...
Sitapur ...	8	18	1	3	...	...	8	3	1	...	...	...
Hardoi ...	6	24	4	6	...	1	21	18	1	15	...	...
Kheri ...	7	19	1	4	...	...	1	.	...	...	...	...
Fyzabad ...	15	17	...	2	...	...	13	12	...	2	...	...
Bahraich ...	5	15	...	...	...	...	13	...	1	...	...	...
Gonda ...	28	12	...	4	...	...	21	9	7	1	...	...
Rae Bareli ...	30	11	3	4	...	1	15	11	4	...	...	...
Sultanpur ...	3	13	...	6	...	...	1	1	...	...	...	...
Partabgarh ...	1	4	...	4	...	...	2	11	...	...	...	...
Total ...	133	218	19	37	.	2	150	88	22	21	...	...

N.—*Criminal business coming before the Judicial Commissioner of Oudh in 1889.*

Description of cases.	Remaining from 1888.	Filed in 1889.	Disposed of in 1889.	Remaining at the close of 1889.	Remarks.
Original business	...	...	...	...	
APPEALS.					
By persons convicted ... From the orders of Deputy Commissioners acting under section 34 of the Code of Criminal Procedure.	2	74	75	1	
By persons convicted ... Session Judges	6	291	283	14	
By the Local Government. From the judgment of acquittal of all Courts,	...	3	3	...	
Total ...	8	368	361	15	
REFERENCES.					
Cases in which sentence of death passed by Sessions Judges was referred for confirmation under section 374 of the Code of Criminal Procedure	3	29	30	2	
Cases in which proceedings held against persons who could not understand them were referred for orders under section 341 of the Code of Criminal Procedure.	...	...	...	...	
Total ...	3	29	30	2	
REVISION.					
Cases referred for revision by District Magistrates and Sessions Judges under section 438 of the Criminal Procedure Code.	1	100	101	...	
Cases dealt with by the Court under section 439 of the Code of Criminal Procedure :—					
(1) Cases decided by Magistrates	2	58	60	...	
(2) Ditto Sessions Judges	3	82	81	4	
Total	6	240	242	4	
Full Bench References	...	...	...	...	
GRAND TOTAL ...	17	637	633	21	

ORDERS OF GOVERNMENT.

BENGAL SECRETARIAT LIBRARY.

No. $\frac{3836\frac{1}{2}}{\text{VI}-615\text{B}}$ OF 1890.

FROM

THE SECRETARY TO GOVERNMENT,
N.-W. PROVINCES AND OUDH,

To

THE JUDICIAL COMMISSIONER OF OUDH.

DATED ALLAHABAD, THE 27TH NOVEMBER 1890.

SIR,

JUDICIAL DEPT. (CRIMINAL).

I AM directed to acknowledge the receipt, on 23rd August 1890, of your No. 937, dated 23rd June 1890, being your report on the Administration of Criminal Justice in Oudh for the year 1889, together with the prescribed returns. The report was submitted with greater punctuality this year, but has not been reviewed sooner, in consequence of delay in the submission of the returns for the North-Western Provinces, which are necessary for the purposes of comparing the administration of the criminal law in both Provinces. Your attention has been drawn in a separate letter to several statistical inaccuracies which appear to have crept into the returns for Oudh.

2. The following figures show the number of offences reported, returned as true, and brought to trial in both Provinces during the last three years :—

		Reported.	Returned as true.	Brought to trial.	Percentage of cases returned as true to cases reported.	Percentage of cases brought to trial to cases returned as true.	Number of reports to 10,000 of population.
North-Western Provinces.	1887	262,646	217,053	108,224	82·64	49·86	80·27
	1888	168,976	124,103	111,372	73·44	89·74	51·64
	1889	154,607	113,802	110,484	73·60	97·08	47·21
Oudh ...	1887	46,839	31,605	32,142	67·47	101·69	41·06
	1888	47,508	32,110	32,683	67·58	101·78	41·64
	1889	48,565	33,379	33,921	68·72	101·62	42·57

The discrepancy between the returns for the two Provinces, which was noticed in the Review for 1887, and again commented on in last year's Review, is not now so marked. It has formed the subject of further correspondence during the current year, which, it is hoped, will result in the statistics being compiled on a uniform system in future, and thus it will be possible to draw safe conclusions from a comparison of the statistics for the one Province with those for the other.

3. An increase of 2 per cent. took place in the number of offences reported, the increase being marked in the districts of Bara Banki and Hardoi. On the other hand reported cases fell off in Lucknow (*City*), Gonda and Bahraich, the decrease in Gonda being mainly under the head of "Special and Local Laws." The resultant number of *true* cases is arrived at by deducting from the number

reported (*a*) those which are declared by the Magistrate to be false, and (*b*) those complaints which are dismissed under section 203 of the Code of Criminal Procedure. A large proportion of the cases reported under the heads of "mischief" (54 per cent.), "offences relating to marriage" (46 per cent.), "assault" (42 per cent.), and "hurt" (36 per cent.), were so deducted in 1889. District Magistrates seem to have exercised greater care in expunging cases from the crime register. The number so expunged was less than 5 per cent. of the number reported (2,083 against 2,280 in the former year). The remarks of the Deputy Commissioner of Sultanpur regarding dismissals under section 203, and his proposed remedy do not commend themselves to the Government, and, as you justly remark, he seems to have overlooked the provisions of section 355 of the Code. Compensation for frivolous and vexatious complaints was awarded to accused persons in 201 instances compared with 180 in 1888. In Kheri the number fell from 36 to 19: in the following districts the provisions of the law (section 250 of the Criminal Procedure Code) were but sparingly resorted to—Lucknow and Sitapur (3 cases each): Bara Banki (4 cases): Hardoi (8 cases). The monthly reports on this subject, to which the Deputy Commissioner of Fyzabad refers, may have produced the result noticeable in that district,—an increase however of only 36 cases,—but cannot have had much effect in the rest of the Province. The Legislature has in a recent Bill, in its acceptance of this Government's proposals to extend the law to offences other than those which fall within the definition of a "summons case," recognized the advisability of the Criminal Courts endeavouring to put a stop to frivolous litigation by making a more extensive use of this section.

4. As regards cases brought to trial, an increase, amounting to 1,238, is noticeable. The increase was most marked in the districts of Hardoi, Bara Banki and Sultanpur. In the two latter districts it is ascribed not to a real increase of crime, but to more faithful reporting. In Lucknow City there has been a steady decrease since 1885. In Gonda in 1888 prosecutions for offences against special and local laws were numerous, but in 1889 decreased considerably. The proportion of persons convicted to those whose cases were tried out did not vary much in the two Provinces, though in Oudh it was somewhat smaller than in the North-Western Provinces, and during the last three years has shown a continuous falling off. The figures are :—

	North-Western Provinces.			Oudh.		
	Persons.			*Persons.*		
	Tried out.[1]	Convicted.[2]	Percentage convicted.	Tried out.[1]	Convicted.[2]	Percentage convicted.
1887	184,882	90,966	49	58,918	28,819	48
1888	186,597	90,450	48	60,659	29,010	47
1889	183,276	91,860	49	61,756	28,553	46

[1] Columns 6 and 7, Statement II.

[2] Column 7, Statement II.

With reference to Colonel Currie's remarks which are quoted in paragraph 16 of your report and in which you concur, I am to say that the necessity of improving the prosecuting agency, especially in Magisterial Courts, is admitted, and that this question is at present under the consideration of the Police Committee now sitting and of Government. Separating the figures for offences under the Penal Code and for proceedings under the Code of Criminal Procedure and special and local laws, we find as regards the latter that there is a considerably higher percentage of convictions in the North-Western Provinces. The figures are :—

Under the Penal Code.

	North-Western Provinces.			Oudh.		
	Tried out.	Convicted.	Percentage convicted.	Tried out.	Convicted.	Percentage convicted.
1887	136,250	54,463	39	39,723	15,495	39
1888	137,882	53,639	38	40,801	15,288	37
1889	134,217	53,658	39	42,354	16,211	38

Under the Code of Criminal Procedure and Special and Local Laws.

	North-Western Provinces.			Oudh.		
	Tried out.	Convicted.	Percentage convicted.	Tried out.	Convicted.	Percentage convicted.
1887	48,632	36,503	75	19,190	13,324	69
1888	48,715	36,811	75	19,858	13,722	69
1889	49,059	37,702	76	19,402	12,342	63

The number of persons called on to furnish security for keeping the peace in Oudh fell from 2,756 in 1888 to 2,148 in 1889, and the percentage of convictions in such cases from 56· to 45·8. The fact that 71· per cent. of the persons so tried in Hardoi, and 92· per cent. in Rae Bareli, were discharged would seem to point to the fact that in those districts these special provisions of the law were too freely resorted to. As regards security for good behaviour, the total number of persons discloses little variation: but, while in Bara Banki the number of persons called on to furnish such security rose from 14 to 116, in Gonda it fell from 126 to 37.

5. As regards convictions in Magisterial Courts generally, there appears to be considerable variation in different districts. A reference to Statement E appended to your report shows that the percentage of persons convicted varied from 67· in Lucknow City to 34· in the Rae Bareli district. A considerable decrease in the percentage of convictions compared with 1888 is noticeable in both the Bahraich and Rae Bareli districts. Comparing the results shown in Statement II for both

Provinces for the different classes of offences we find the following variations :—

Class.	*Percentage of persons convicted to persons tried.*	
	North-Western Provinces.	Oudh.
Offences against public tranquillity	63	59
Public servants, by or against	59	53
Public justice	54	48
Coin, stamps, weights and measures	50	55
Health and religion	76	71
Hurt and assault	18	19
Other offences relating to the human body	38	48
Theft	71	72
Mischief	16	19
Criminal trespass	49	48
Other offences relating to property	55	60
Miscellaneous	14	16

The largest divergence is in respect of offences against the human body, but it is observed in respect of the offence of wrongful confinement, that while 24 per cent. of persons so charged were convicted in Oudh, only 15 were convicted in the North-Western Provinces. Hardoi and Bahraich form exceptions to the average for Oudh, and showed only a percentage of 6. The figures for "assault" cases seem to indicate, as remarked by you, that the Courts in Oudh can but seldom take sufficient trouble in examining complainants prior to the issue of process. The comparative failure of prosecutions for rape, though not so marked as in the previous year, was possibly, as you suggest, due to the fact, that complaints of this crime were not subjected to the preliminary test of police investigation on the spot. In cases of robbery and dakáiti there was improvement, save in the district of Sultanpur, where only 4 out of 15 persons charged were convicted. Convictions for cheating were more numerous: yet in Bara Banki not a single conviction resulted, though there were 17 complaints, and in Kheri the result of 60 complaints was the conviction of only two persons. In the cases of 37 persons who were tried in the Fyzabad and Gonda districts for offences relating to documents, no convictions were obtained. The large decrease in convictions for breaches of municipal bye-laws in Fyzabad (1,936 to 691), is ascribed by the Deputy Commissioner to activity shown in former years. This is probably only partially correct.

6. The following figures exhibit the amount of work done by the different classes of Courts during the last five years, and the percentage done by each :—

Magistracy.	*Number of persons whose cases were disposed of.* Columns 4—7, Statement IV.					Percentage to total number of persons whose cases were disposed of.				
	1885.	1886.	1887.	1888.	1889.	1885.	1886.	1887.	1888.	1889.
Unpaid ...	12,718	14,481	15,523	16,222	17,262	23	26	26	26	28
Native subordinate ...	30,866	30,836	33,820	35,866	37,229	58	57	58	60	61
European... ...	10,584	9,895	9,512	8,602	7,199	19	17	16	14	11
	54,163	55,212	58,855	60,690	61,690					

To the Honorary Magistracy, especially to those gentlemen mentioned in paragraph 55 of your report, and to the members of the Lucknow and Fyzabad Benches, the acknowledgments of Government are due for the assistance rendered by them. It is evident that the work done by European Magistrates has steadily and latterly very markedly decreased; this decrease (which requires careful watching) has taken place entirely in the work of subordinate full-powered Magistrates, for which the figures are :—

	Persons whose cases were disposed of.	Percentage disposed of to total number.
1885	9,049	16
1886	8,609	15
1887	7,630	12
1888	6,615	10
1889	5,105	8

On the other hand the work done by District Magistrates has increased: the number of persons whose cases were disposed of having been 2,094 in 1889 against 1,535 in 1885. The increase in 1889 alone in the number of persons whose cases were disposed of in the exercise of the enhanced powers conferred on Deputy Commissioners under section 34 of the Code of Criminal Procedure was considerable (166). Colonel Grigg and Colonel Pitcher are specially to be commended for having decided a large number of such cases, and their action, it is noticed, is considered by you to have had an excellent effect on the criminal classes of their districts.

7. Annexed are statistics showing for each class of Court the percentage of persons convicted to persons whose cases were disposed of, and the average duration of cases for the last five years :—

	Percentage of convictions.					*Duration in days.*				
	1885.	1886.	1887.	1888.	1889.	1885.	1886.	1887.	1888.	1889.
Unpaid Honorary Magistrates ...	36	41	34	22	28	6·23	7·06	5·04	5·23	6·00
Benches of Honorary Magistrates	68	67	59	65	65	1·81	2·75	2·64	3·56	2·81
Subordinate paid Magistrates ...	41	37	38	35	35	5·82	5·40	4·40	5·17	6·29
Full-powered Native Magistrates,	47	51	50	48	46	8·02	7·65	7·69	7·68	8·31
Ditto European Magistrates,	50	54	58	54	56	6·40	6·21	7·19	5·62	6·30
Chief Magistrates	60	62	77	75	79	5·97	6·18	4·74	5·22	5·80
Deputy Commissioners, under enhanced powers under section 34.	67	72	69	61	75	10·81	9·87	10·65	11·01	9·70
Total Magistracy	59	51	50	48	46	6·06	7·15	5·93	6·02	6·50
Sessions Judges	69	55	60	61	65	21·41	40·21	49·77	42·82	55·46

The comparatively high percentage of convictions before Benches of Honorary Magistrates is undoubtedly due to the class of cases—chiefly local nuisances and breaches of municipal bye-laws—which they decide. The difference between the figures for the Courts of Native and of European full-powered Magistrates, both as regards the percentage of convictions and as regards the duration of cases, is marked. In respect of convictions in both Magistrates' and Sessions Courts we find

the following varied result on a comparison with the North-Western Provinces' statistics :—

PERCENTAGE OF CONVICTIONS IN—

	Magistrates' Courts.		*Sessions Courts.*	
	North-Western Provinces.	Oudh.	North-Western Provinces.	Oudh.
1887	49	50	67	60
1888	49	48	63	61
1889	50	46	59	65

The variations in duration in the different Magisterial Courts are also considerable : in Sessions Courts it has more than doubled within the last quinquennial period. It is to be hoped that as one consequence of the administrative changes sanctioned by Act XX of 1890, the duration of cases in Sessions Judges' Courts will be lessened, as Commissioners will be relieved in future of Sessions work. The following figures tabulate the results for both Provinces :—

Days.

	Magisterial Courts.		*Courts of Session.*	
	North-Western Provinces.	Oudh.	North-Western Provinces.	Oudh.
1885	4	6·06	37	21·41
1886	5	7·15	35	40·21
1887	5	5·93	36	49·77
1888	5	6·02	44	42·82
1889	5	6·52	39	55·46

The number of cases pending in Magisterial Courts rose from 492 to 581, the heaviest files being in the districts of Hardoi (78), Partabgarh (66), and Bara Banki (62).

8. The following abstract shows the various punishments (excepting death, transportation and penal servitude) inflicted by the Courts :—

	Rigorous imprisonment.	Simple imprisonment.	Fine.	Whipping.	Total.	*Percentage to totals of number of punishments.*			
						Rigorous imprisonment.	Simple imprisonment.	Fine.	Whipping.
1885	7,160	312	18,003	1,402	26,877	26	1	68	5
1886	8,137	384	18,226	1,715	28,462	28	1	65	6
1887	9,006	354	18,686	1,998	30,044	29	1	61	6
1888	9,082	444	18,338	2,012	29,876	34	1	59	6
1889	9,376	453	18,554	1,808	30,191	31	1	62	6
Corresponding percentages in 1889 for N.-W. Provinces ...						30	1	65	4

Whipping, as was noticed last year, is more freely resorted to in Oudh: but it is evident that the percentages for the North-Western Provinces and for Oudh indicated in the statements annexed to the reports have been differently calculated. Those for the North-Western Provinces show the ratio of whippings to the number of cases in which whippings might have been inflicted but were not: while in Oudh they are based on a comparison of the total number of whippings actually inflicted with the number in which whipping might have been inflicted. The following figures, corrected for the North-Western Provinces on the Oudh system, afford a true comparison of the extent to which whipping is inflicted in either Province :—

	Percentage.				
	1885.	1886.	1887.	1888.	1889.
North-Western Provinces	12	12	13	13	13
Oudh	17	21	23	23	20

In last year's Review it was noticed that the ratio of sentences of transportation was smaller in Oudh than in the North-Western Provinces. No account was however taken of the sentences of penal servitude shown in the returns, which in 1888 numbered 42. In 1889 the number of sentences of transportation rose from 55 to 129, while the number of sentences of penal servitude shown is *nil*. You are requested to explain this. Realization of fines show an improvement: 84·7 per cent. of those imposed were realized against 81·5 in 1888. The district of Hardoi was conspicuous for its low percentage (64·6). The amount of compensation paid to injured persons seems to vary considerably from year to year, and this subject might with advantage be brought to the notice of all subordinate Courts. The figures are:—

	Magistrates' Courts.		*Sessions Courts.*	
	Fines inflicted.	Compensation given.	Fines inflicted.	Compensation.
	Rs.	Rs.	Rs.	Rs.
1885	82,957	27,562	1,435	490
1886	90,768	12,512	2,581	92
1887	94,954	32,137	2,000	3
1888	1,00,055	16,696	2,182	540
1889	99,865	16,357	4,483	312

The number of witnesses examined by the Courts shows a steady increase during the last five years. The statistics are :—

	Magisterial Courts.			*Sessions Courts.*		
	Total number of witnesses	Discharged after first day.	Percentage so discharged.	Total number of witnesses.	Discharged after first day.	Percentage so discharged.
1885	84 625	4,284	5	3,645	962	26
1886	86 005	5,774	6	4,595	1,452	31
1887	94,535	6,322	6	4,150	1,517	36
1888	99,536	6,051	6	3,898	1,024	26
1889	101,340	5,188	5	4,578	1.441	31

This increase was accompanied by an increase in the number who received diet-money, and in this respect, as well as regards their detention, witnesses in Magisterial Courts seem to have received greater consideration in Oudh than in the North-Western Provinces :—

	Percentage who received diet-money.		*Percentage discharged after first day.*	
	North-Western Provinces.	Oudh.	North-Western Provinces.	Oudh.
1887	24	49	11	6
1888	23	46	11	6
1889	25	52	11	5

Last year the weeding of records in certain districts was reported to be backward : it is satisfactory to learn that this work is now either up to date or well in hand.

9. Turning to the appellate and revision work of the Courts, we find the following results for the last three years :—

	Number of accused in whose cases appeal was made or revision applied for.			Those whose sentence was upheld.			Percentage upheld.		
	1887.	1888.	1889.	1887.	1888.	1889.	1887.	1888.	1889.
Appeals.									
To Chief Magistrates ...	1,180	1,221	1,313	681	750	818	57	61	62
„ Sessions Courts ...	2,720	2,933	2.835	2,219	2,473	2,411	81	84	85
„ Judicial Commissioner,	338	375	424	258	326	351	76	86	82
Total ...	4,238	4,529	4,572	3,158	3,549	3,580	74	78	78
Revision.									
By Chief Magistrates ...	770	927	1,089	601	740	781	78	84	71
„ Sessions Courts ...	241	280	411	219	225	341	90	80	83
„ Judicial Commissioner,	405	386	471	225	235	291	55	60	61
Total ...	1,416	1,593	1,971	1,045	1,200	1,413	73	75	71

These figures point to an increase of work of this description in each class of Court, but with improved results on the whole, as compared with 1887. A comparison with the figures for the North-Western Provinces points to less interference in 1889 with the decisions of Subordinate Courts in Oudh than in the sister Province :—

Percentage of accused in whose cases sentences were upheld—

	On appeal.				*In revision.*			
	Magistrates.	Sessions.	High Court and Judicial Commissioner.	Total.	Magistrates.	Sessions.	High Court and Judicial Commissioner.	Total.
North-Western Provinces ...	64	69	72	68	71	74	58	70
Oudh	62	85	82	78	71	83	60	71

As remarked in last year's Review, there would still seem to be a greater readiness to appeal in the North-Western Provinces, though the divergence between the percentages is less than it was. The statistics are :—

	1888.			1889		
	No. of persons convicted	Accused who appealed or applied for revision.	Percentage to convicted	No. of persons convicted	Accused who appealed or applied for revision	Percentage to convicted.
North-Western Provinces ...	90,450	21,935	24 25	91,360	19,191	21 00
Oudh	29,010	5,091	17 54	28,553	5,249	18·38

At the same time it is noteworthy that the entries in the column of remarks of Statement No. VI show a greater tendency in Oudh on the part of complainants to move the Courts to exercise their revisional powers than in the North-Western Provinces :—

	Accused in whose cases complainants applied for revision.	Accused who applied for revision.	Percentage in which complainants were applicants to total number of accused.
North-Western Provinces	3,545	3,702	48
Oudh	1,294	677	65

It is not understood why the column in Statement K, showing the ratio of appeals affirmed, has been left blank. The results as regards revision for the districts of Unao and Bahraich cannot be pronounced satisfactory. The duration in both classes of cases compares favorably with that for the North-Western Provinces :—

		Duration in days.	
		North-Western Provinces.	Oudh.
Appeals	1888 ..	14	11·64
	1889 ...	19	11 60
Revision cases	1888 ..	16	13 88
	1889 ...	25	12 96

10. The results for trial, whether by jury or with the aid of assessors, in both Provinces were similar, and were—

		Jury trials.	Assessor trials.	Number in which Judge agreed with jury	Percentage of agreements.	Number in which Judge agreed with assessors	Percentage of agreements.
North-Western Provinces	1888 ...	131	1,349	120	91 6	1,012	75
	1889 ...	136	1,253	130	95 6	960	76
Oudh	1888 ...	29	266	29	100	213	80
	1889 ...	23	305	22	95 6	233	76

Thirty-two persons were sentenced to death by Sessions Judges: the sentences were confirmed in only 16 cases.

I have the honor to be,

SIR,

Your most obedient servant,

J. B. THOMSON,

Secy. to Govt., N.-W. P. and Oudh.